

Kashmir

History, Politics, Representation

Edited by

Chitralekha Zutshi



Kashmir

On the seventieth anniversary of Indian independence, partition and the creation of Pakistan, this ground-breaking collection brings together fourteen cutting-edge scholarly essays on multiple aspects of both the region and the issue of Kashmir. While keeping the political dimensions of the dispute over the territory in focus, these innovative essays branch out from the high politics of the conflict to consider less well-known aspects and areas of Kashmir.

They examine the continuities and ruptures between Kashmir's past and its present situation; re-evaluate the contemporary political scenario from the perspective of gender, economic and political marginality, everyday experiences and governance; and analyse the ways in which the region of Kashmir and its people are represented and (re)present themselves in films and literature through their regional and religious identities and commodities.

As a whole, the objective of the volume is to reflect on the limits of postcolonial nationalism and citizenship as exemplified by the situation in contemporary Kashmir and to introduce readers to the new directions in Kashmir Studies that have emerged in the past two decades. These pioneering interdisciplinary perspectives transform our understanding of the region and the conflict, while bringing to light new sources in multiple languages for the study of this region.

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For
The People of Kashmir – Past, Present, Future

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Acknowledgements

The publication of this book coincides with the seventieth anniversary of Indian independence, partition and the creation of Pakistan, a moment that compels us to reflect on the meanings, memories and legacies of these events in the subcontinent. Kashmir, perhaps more than any other place in the region – rent asunder as it is by conflict, displacement, uncertainty and the near absence of governance – stands out as the symbol of the failures of the postcolonial era. This is particularly apropos given that this book came together during a time – in the summer and autumn of 2016 – of renewed crisis in the Kashmir Valley, characterized by an uprising against the Indian state and the possibility of war between India and Pakistan, with no hope for reconciliation in sight.

The book, therefore, acknowledges foremost the three generations of Kashmiris on both sides of the border whose lives have been engulfed in a state of perpetual war since 1947. The objective of this volume, however, is to discuss them and their homeland not just from the perspective of the high politics of conflict, but perhaps more significantly, to illuminate the diversity and range of experiences, ideas, institutions, individuals, forms of resistance and interactions with the outside world that have shaped, and continue to shape, Kashmir and its people. The volume is thus dedicated to Kashmiris – past, present and future.

I also wish to acknowledge the intrepid contributors to this volume, who have devoted their professional lives to at times the near impossible task of researching and writing about this part of the world. They have surmounted many a barrier to conduct their research, unearth novel sources and bring fresh perspectives to bear on our understanding of Kashmir. Thanks to all of them for responding to my call and sharing their ideas on Kashmir and its people with such warmth and enthusiasm. It was a pleasure to work with all of them.

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Chitralekha Zutshi
November 2016
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Map 1: Pre-Partition Jammu and Kashmir



Source: Christopher Snedden, *Understanding Kashmir and Kashmiris* (C. Hurst & Co., 2015). **Courtesy:** Sebastian Ballard.

Map 2: Contemporary Kashmir



Source: Christopher Snedden, *Understanding Kashmir and Kashmiris* (C. Hurst & Co., 2015). **Courtesy:** Sebastian Ballard.

Introduction

New Directions in the Study of Kashmir

Chitralekha Zutshi

Kashmir persists as the centre of one of the most significant and ongoing conflicts in the world that cuts across several national and regional borders. The voluminous writing on the region has been shaped by the intricacies of this conflict and the constantly-battling mainstream nationalist-political narratives that drive it (see, for instance, Lamb, 1991; Jha, 1996). The insurgency in the Indian state of Jammu and Kashmir against the Indian government, which began in 1989 and continues to rage in a different form today, produced a fresh spate of partisan writings that interpret Kashmir's past and present through the prism of divisive ideological agendas, thus presenting Kashmir's current situation as the outcome of an inevitable teleology (for a longer discussion, see Zutshi, 2014, esp. ch. 6). The deeply contested nature of these claims and counter-claims have ensured that Kashmir's history, society, politics and people remain shrouded in the multiple disputes that have plagued the region in the 70 years since Indian independence, partition and the creation of Pakistan.

Scholarly writing that challenges and transcends these ideologically-driven narratives on Kashmir, however, has come a long way in the past two decades. When I began my own research on the region in the mid-1990s, there were scarcely a handful of scholarly works on its history, economy, or culture. The enormity of the task ahead dawned on me on my first research visit to Srinagar in 1996, when I was advised to read the well-thumbed *Kashir* by G. M. D. Sufi (1974 [1949]), P. N. Bazaz's *History of Struggle for Freedom in Kashmir* (1954 [1945]), P. N. K. Bamzai's *A History of Kashmir* (1962) and Mohibbul Hasan's *Kashmir Under the Sultans* (1959). These books, along with Kalhana's *Rajatarangini* (1979 [1900]) and Walter Lawrence's *The Valley of Kashmir* (1996 [1895]), were considered the beginning and the end of scholarship on the region.

Since this was the period at the height of the insurgency, scholarly writings on Kashmir's politics had begun to make their appearance; these works sought to

explain the reasons behind the ostensibly unexpected emergence of the ferocious upsurge against the Indian state in 1989 (Wirsing, 1994; Schofield, 1996, 2000; Ganguly, 1997; Bose, 1997, 2003). For some scholars, at the same time, the insurgency prompted a measure of reflection on Kashmir's past, especially as the dangers of its falling victim to Kashmir's continuously turbulent politics became increasingly apparent. In a recent essay, Mohammad Ishaq Khan (2012) recalled the resistance he met with from his own colleagues at the University of Kashmir during this time, as he was writing his pioneering work on the Rishis of Kashmir – *Kashmir's Transition to Islam* (1994) – which sought to highlight the indigenous influences on the philosophy and practice of Islam in Kashmir.

Other scholars based outside Kashmir, such as myself and Mridu Rai, influenced by the regional turn in South Asian historiography, delved into Kashmir's history and political culture for what it could contribute to our understanding of regions, regionalism, religious affiliations and their relationship to the idea of the nation and nationalism in the South Asian context. Until the late 1990s, Kashmir had been a step-child within South Asian historiography, hampered by its dual status as a princely state in the colonial period and disputed territory in the postcolonial period, and we were determined to bring it into the mainstream of larger historiographical concerns. Combing through hundreds of documents in the state and national archives and unearthing private collections of poetry, letters, pamphlets and manuscripts allowed us to stitch together an understanding of Kashmir's recent past; its changing political economy; the influence of religion on the development of regional identities; the Kashmiri Muslim movement for economic and political rights that emerged at the turn of the twentieth century; and the interconnections in this period between the discourses on religious identities and nationalism in Kashmir and British India.

Although we approached Kashmir as historians, trained in the historical method, the importance of bringing an interdisciplinary lens to bear on the region became apparent very quickly. I found myself using an ethnographic approach early on (and continue to do so) – talking to people and providing a space for them to share their memories of the past and ideas about the present verbally and through their family's textual collections. This approach revealed a hitherto untapped archive in the Kashmiri language – in the form of poetry, short prose compositions, stories and occasional letters – that added new flavour to the debates over decline, loss, belonging and demands for justice that enlivened Kashmiri political discourse in the nineteenth and twentieth centuries. By introducing interdisciplinary approaches and larger questions that were informing

South Asian historiography as a whole – such as the relationship among ideas of religion, region and nation – to the study of Kashmir, our books (Zutshi, 2003; Rai, 2004) raised ever more questions and opened up new avenues for research into Kashmir's past, its present and their linkages.

While the conflict in and over Kashmir has informed the scholarship that followed in the last decade, it has been far more concerned with destabilizing the notion of Kashmir as merely a disputed territory and branching out from the high politics of the conflict to consider less well-known aspects and areas of Kashmir. For instance, it utilizes multidisciplinary tools to study Kashmir over the *longue duree*, interrogate the idea of Kashmir itself and illuminate indigenous voices from the fourteenth century all the way into the present (Accardi, 2014; Zutshi, 2014). Furthermore, these new perspectives transcend the competing nationalist narratives on Kashmir, even as they trace the genealogy of these ideas within the Indian and Pakistani nationalist imaginations, such as in Ananya Jahanara Kabir's *Territory of Desire* (2009). They probe the concepts that have informed and continue to inform our understanding of Kashmir, such as *Kashmiriyat*, *aazadi*, paradise on earth, borderland, among others, and what meanings they hold for Kashmiris themselves (Inden, 2008; Zutshi, 2010; Gangahar, 2013; Hussain, 2014).

At the same time, the scholarship that focuses on politics deploys sociological, ethnographic and literary perspectives to re-evaluate past and contemporary political scenarios and conflicts from the perspective of gender; economic and political marginality; everyday experiences of violence and resistance; and governance (Whitehead, 2007; Kazi, 2009; Duschinski and Hoffman, 2011; Tremblay and Bhatia, 2015; Kaul, 2015). It thus transcends the meta-narrative of political conflict to probe other, equally significant, arenas of conflict that inform the Kashmir dispute.

This innovative corpus of work has made great strides in redressing the scholarly marginalization of Kashmir as a whole. However, even within this scholarship, Kashmir continues to be equated largely with the Kashmir Valley, thus eliding vast areas of the erstwhile princely state that are not only historically connected to the region but also very much a part of the Kashmir dispute. In the past few years, some scholars, such as Ravina Aggarwal (2004), Christopher Snedden (2012), Cabeiri Robinson (2013) and Martin Sökefeld (2005, 2015), have sought to re-centre these marginal areas to our understanding of Kashmir as a region, as well as a political issue. By focusing on areas such as Ladakh, Pakistani Kashmir, Gilgit-Baltistan and Jammu, this scholarship traces the historical roots

of the conflict and also points out that the lines of division (and interconnection) are etched not just between India and Pakistan, but rather along multiple other entities, and therefore any solution to the Kashmir problem requires a multipronged approach.

Despite this burgeoning literature on the region, there have been few edited collections on Kashmir's history, politics, or culture in the past two decades. The three noteworthy exceptions, deeply concerned with the insurgency and its aftermath, focus on the Kashmir Valley and the Indian state of Jammu and Kashmir. Aparna Rao and T. N. Madan's *The Valley of Kashmir* (2008) assembled a number of scholars to comment on a variety of aspects of Kashmir's history, culture and politics with the aim of celebrating its rich, composite culture in the face of its steady disappearance. Nyla Ali Khan's volume, *The Parchment of Kashmir* (2012), too, is pre-occupied with capturing what has been lost in the decades since the insurgency, this time through the voices and particular subject positions of indigenous Kashmiri scholars. *Until My Freedom Has Come*, edited by Sanjay Kak (2011), focuses attention on the unrest against the Indian authorities that began in the summer of 2010 in Jammu and Kashmir and collects varied responses to it from journalists, activists, scholars, musicians and filmmakers. The disputed nature of Kashmir and the conflict over and in Indian Jammu and Kashmir loom large in these volumes.

This volume, by contrast, is spurred by the fresh scholarly voices on the entire region of Kashmir that have emerged in the past two decades and brings together a cross-section of the most original of this current research. These voices are concerned as much with Kashmir as place/region as with Kashmir as dispute/conflict, and question the teleology of conflict in this region by illustrating its historical and political contingencies. The volume thus elucidates why and how Kashmir became one of the central failures of postcolonial state-building in South Asia. At the same time, the collection covers Kashmir temporally from the early modern period to the contemporary moment, and introduces readers to recent multidisciplinary methodologies that have been brought to bear to study the undivided region as it existed at multiple historical moments, as well as the varied sources that have been uncovered in the process.

The fourteen essays collected here are a result of intensive ethnographic fieldwork in different areas of Kashmir; extensive interviews on both sides of the Line of Control; an in-depth study of manuscripts in several different languages; a deep analysis of films, poetry, newspapers and journals; and a scouring of government archives. They cover a long chronological scope and a

wide geographical range to give readers a comprehensive insight into the multiple aspects of Kashmir in its larger regional, national and global contexts.

Since Kashmir is by no means unique in either its past or its present situation (the examples of Kurdistan/Kurds and Palestine/Palestinians come to mind), one of the objectives of this volume is to raise broader questions about how regions and people of the borderlands – that are a part of more than one national entity by their geographical location, interconnected histories and political affiliations – are understood and defined. How are these regions represented through a constant dialogue between their past histories and contemporary politics? How do religious identities, political grievances, socio-economic anxieties and collective memories intertwine to produce narratives of protest and resistance within regional-nationalist movements? How are such regions, their nationalist movements and their people's interests to be accommodated within states rather than being seen as threats to the national interest? While the volume does not necessarily claim to provide all the answers to these complex questions, its essays do offer interdisciplinary methodologies, eclectic sources and suggest potential lines of inquiry through which to more fruitfully approach the study of regions in general, and disputed regions in particular, in South Asia and beyond.

Defining Kashmir

Much like other regions of the subcontinent, the subcontinent itself, or even a continent such as Europe, Kashmir is not only an actual geographical entity, but also an idea. Even as its geographical contours have constantly shifted through the centuries, it has at the same time been defined in multiple ways within its vibrant narrative tradition. Moreover, its geographical location and landscape have been central to its many definitions, which are the product of an intermingling of local, regional and universal ideas.

In Sanskrit texts such as the seventh-century *Nilamata Purana* and the twelfth-century *Rajatarangini*, Kashmir appeared as a sacred kingdom created through divine intervention and the auspicious centre of a larger cosmological universe defined by Shaivism. Sufi hagiographical narratives in Persian from the fourteenth century onwards embraced this idea of Kashmir as a sacred space, claiming its especially blessed landscape for Islam. In the process, the landscape was rendered more auspicious still through the peregrinations of Sufi mystics, as evident in their shrines now dotting the landscape. Starting in the late sixteenth century, Persian historical narratives drew on their Sanskrit predecessors to define Kashmir as a paradise on earth, as well as a territory whose past – first recorded

in the *Rajatarangini* narratives – had to be narrated and continued in a different way. By the eighteenth century, Kashmir was being described as a *mulk*, or a homeland for its inhabitants, who were for the first time defined as a people, or a *quom*. For late-nineteenth-century narratives, Kashmir was a polity with a distinct historical record that set it apart from other *mulks*, and thus an exceptional space in the global sphere.

The Sanskrit and Persian narratives in a variety of genres, including prose and poetry, were deeply connected to the Kashmiri oral tradition, which in turn drew on Sanskrit and Persian texts to narrate and disseminate the idea of Kashmir as place. Kashmir was given voice to and performed in the regional vernacular, Kashmiri, by wandering minstrels and storytellers as a palimpsest – a layered and shared space produced through the creative, sometimes conflictual, interaction among languages, ideas, religions and groups of people, both divine and human. In their stories and songs, Nagas, Brahmans, Buddhists, Sufi mystics, religious mendicants, rulers, administrators and ordinary men and women played an equally important role in defining and narrating the idea of Kashmir.

These definitions of Kashmir as sacred space, kingdom, territory, *mulk* and place, among many others, were anchored to the larger political and institutional contexts in which they were articulated, and not only reflected, but also shaped Kashmir's state structures, its political culture and the religious affiliations of its people. For instance, the Sufi hagiographical narratives allowed the Kashmiri Sultanate to consolidate its control over Kashmir in the name of Islam by cementing the nexus between Sufi mystics and the rulers. Persian historical narratives embodied within them assertions of uniqueness because they were composed as Kashmir became part of larger imperial entities such as the Mughal Empire, followed by the Afghan Empire and later the Sikh Kingdom, and were aimed at negotiating a level of autonomy for Kashmir and Kashmiris. At the same time, the jeremiad that characterized Persian narratives such as *Bagh-i Sulaiman*, written in 1778, captured Kashmiris' frustration at their inability to protect their *mulk* from the depredations of outsiders, as Kashmir was incorporated into the Afghan Empire.

The nineteenth-century narratives were produced in the context of Kashmir's incorporation into the princely state of Jammu and Kashmir in 1846, as Kashmiris grappled with the reality of yet another empire. The British Indian Empire, and its subsidiary, the Dogra dynasty, ushered in vast political, economic and socio-cultural transformations in Kashmir, while heightening its claims to exceptionality as orientalist scholars and administrators began their studies of the region. New

ideas, discourses and concerns from British India mingled with the indigenous tradition within the historical narratives as they struggled in this radically transformed socio-political scenario to reposition Kashmir as a polity, and its inhabitants – particularly Kashmiri Muslims – as a community.

As the Kashmiri nationalist movement gathered force in the 1940s, and drew ever closer to Indian nationalist discourse, it articulated the narrative of a unique Kashmiri identity, known as *Kashmiriyat*. Drawing on the orientalist ideas of Kashmir as an exceptional space, this narrative drew Kashmir into the ambit of a secular India, while still maintaining its distance from it. The idea of *Kashmiriyat* as the defining feature of Kashmiri identities is under fierce attack in the context of the contemporary conflict, especially between India and Kashmir, as Kashmiris seek to distance themselves from India and claim a greater identification of Kashmir with the Islamic world, defined increasingly in West Asian rather than South Asian terms. As the essays in this volume demonstrate so well, ideas of what constitutes Kashmir – and how Kashmiris are to be defined as a group – are part of an ongoing conversation that rages on into the contemporary moment.

History

One can argue that Kashmir's modern history begins in 1846, when the princely state of Jammu and Kashmir was created through the Treaty of Amritsar and its reins handed over to the Dogra ruler, Gulab Singh, and his successors. The far-reaching impact of the creation of the princely state, to which the Kashmir issue remains wedded even today, cannot be overemphasized. This is not only because the princely state was a novel polity that brought together disparate areas such as Jammu, the Kashmir Valley, Ladakh and the Frontier Territories,¹ but more significantly because it created an entirely new bureaucratic state structure to administer them as integral parts of one entity. The rise of a Kashmiri nationalist movement in the early twentieth century was intimately tied to the policies undertaken by this state and its resultant relationship to its subjects. For the Kashmiri nationalist consciousness, moreover, the moment of the creation of the princely state was (and remains) a powerfully memorialized symbol of Kashmir's past and present enslavement.

The ways in which Kashmiri Muslims negotiated the Dogra state structure and its Hindu narratives of legitimacy forms the subject of the chapters by Mridu Rai and Chitralekha Zutshi. Rai's essay focuses on the colonial archeological project in Kashmir as undertaken by the Dogra state in the early twentieth century to buttress its own sovereignty, and the responses of its Kashmiri Muslim subjects

as they utilized the same project to demand control over their own religious spaces, and through that, their political rights as a community. The drawing of the contours of Kashmiri Muslim community itself is the subject of Zutshi's essay, which examines urban shrines as the site on which the debates over what it meant to be Kashmiri Muslim were played out in the late nineteenth and early twentieth centuries. She argues that these contests over urban space were about far more than religion and shaped not just internal Kashmiri Muslim tussles over community leadership, but also informed the nature of their political negotiation with, and protest against, the Dogra state and later the Indian state as well.

Both these essays illustrate that in Kashmir, changing relationships between the state and society, and between institutions such as shrines and the emergence of political and national identities, were not only linked to larger socio-political developments in British India, but also followed similar trajectories as in other regions of South Asia.

The essays by Andrew Whitehead and Shahla Hussain take these early protests against the Dogra state forward to examine their full fruition into a nationalist movement in the 1930s, 1940s and beyond. Whitehead enquires into the content of Kashmiri nationalism, how it defined the Kashmiri nation and its convergence with and eventual divergence from Indian nationalism. He concludes that the conflicting nationalisms in play in Kashmir and India in the late 1940s and 1950s account for the failure to achieve an enduring constitutional settlement based on a mature political pluralism. Hussain's essay analyses Kashmiri nationalism through the shifting meanings of the word *aazadi* (freedom), tracing its trajectory in Kashmiri political discourse from the 1930s to the present. It dispels the notion of freedom as a recent construct and emphasizes that Kashmiri imaginings of freedom in different temporal frames were not confined to political freedom, but also included concepts such as human dignity, economic equity and social justice.

The essays in this section, and the next, reveal the powerful interconnection between the past and the present in the context of Kashmir, especially in the persistence of narratives of protest, freedom and nationalism (Kashmiri, Indian and Pakistani) across the decades and the institutions that buttress them, such as shrines, political organizations and the state. The princely state was – and although long gone – remains the reference point for regional identities, subjecthood and the movement for self-determination in multiple sub-regions of Kashmir. Contemporary discourse in Indian Kashmir spontaneously links violent episodes with the Indian authorities to historical wrongs committed at particular historical moments, such as 1846 or July 1931, thus reinforcing divisions along familiar

lines. Kashmiri nationalism, which at one time seemed perfectly aligned with the narrative of Indian nationalism, now seems irreconcilable with it. As a result, the chapters also remind us of the historical bonds among groups of people, entities and ideas that seem today to be separated by unbridgeable gulfs.

Politics

As the eminent political commentator on Kashmir, Balraj Puri, rightly noted, ‘Kashmiri politics is a prisoner of Kashmir’s past’ (Puri, 2010). This is true not just in the sense that the continuous invocation of competing visions of Kashmir’s history in discussions of contemporary politics makes any movement towards resolution almost impossible, but equally importantly because Kashmir’s past quite literally impinges on its present.

The princely state, established in 1846 and dismantled in 1947, continues to provide the framework for nationalist and other movements in the region, and Indian and Pakistani state responses to them. The partitions of this entity and the constituent parts that resulted from the withdrawal of British paramountcy in 1947 determine the nature of interstate relations and the relationships between states and their citizens. These ongoing partitions – between Indian and Pakistani Kashmir; between Indian Kashmir and India; among the Kashmir Valley, Jammu and Ladakh; between Pakistani Kashmir and Pakistan; and between Pakistani Kashmir and Gilgit-Baltistan – many of which are officially unrecognized, contribute to the deep sense of uncertainty and the near perpetual state of war that characterizes the lives of the people who call this region home (see Zutshi, 2015). One can argue, thus, that the region is still in the throes of a long process of decolonization.

While the 1989 upsurge against the Indian state and its military response prompted a scholarly examination of the nature of politics in the Indian state of Jammu and Kashmir since 1947, the regions of Kashmir on the Pakistani side of the 1949 ceasefire line have remained relatively unexamined until very recently. The essays in this section by Christopher Snedden and Martin Sökefeld thus make a significant contribution towards unravelling the entangled histories and complex politics of these areas. In the process, they illustrate the multiple contestations over identity, belonging, nationalism, and citizenship that both connect and separate the people of these areas with each other, and with the people across the borders in Indian Jammu and Kashmir.

Snedden’s essay re-centres the entity known as Azad Kashmir within our understanding of the Kashmir dispute as the area that instigated the battle over

the princely state in 1947, which led to the eventual partition of the state. A wide-ranging account of the area's history, economy and politics, the essay argues that despite its contested status and claims to the contrary, Azad Kashmir lacks integrity as a viable and fully functioning political entity because of its *de facto* relationship with Pakistan. Its 'freedom' is defined as not much more than its freedom from India. Sökefeld's essay traces the history and politics of the area that was part of the Frontier Territories of the princely state, then became known as the Northern Areas, and has recently been renamed Gilgit-Baltistan, as a region suspended between the claims of India and Pakistan. Although Gilgit-Baltistan is effectively a part of Pakistan, most people in the region want Pakistan to constitutionally and legally integrate the region as a province. At the same time, its nationalists claim a distinct identity for the region by arguing that it is rightfully neither a part of India nor of Pakistan, and, although it is a part of the Kashmir dispute, it is not a part of Kashmir.

The rest of the essays in this section probe the politics of the Indian state of Jammu and Kashmir from a variety of perspectives. Seema Kazi's essay examines the gender dimension of governance practice in the state, particularly in the context of the insurgency. Through an examination of landmark cases that encapsulate institutional responses to gender crimes against Kashmiri women by state personnel, it foregrounds the link between enduring insecurity and injustice for women on the one hand and the privileging of executive and military authority on the other, as defining features of governance in Jammu and Kashmir. Although the essay focuses on the experiences of women in the Kashmir Valley in the past two decades, it is also important to remember that women in border areas, such as Kargil, are even further marginalized and have borne the brunt of the violence and displacement caused by the Kashmir conflict almost continuously since 1948 (see Hans, 2004).

Displacement has defined the experience of another group in Jammu and Kashmir, the Kashmiri Pandits, whose responses to their involuntary migration in the wake of the insurgency form the subject of Haley Duschinski's essay. Tracing the relationship of this migration to national debates about secularism, governance and the state's responsibility to its citizens, the essay considers the construction of Kashmiri Hindu collective identity through community discourse in the 1990s, with special attention to the way in which this discourse framed the issue of return to the homeland and the heterogeneity of voices within it. An examination of the roots of this issue is particularly important given the recent re-emergence of the idea of the return and resettlement of Kashmiri Pandits in Kashmir in the context

of the coalition government between the People's Democratic Party (PDP) and the Bharatiya Janata Party (BJP) that currently rules Jammu and Kashmir.

Jammu is perhaps the most understudied sub-region of the Indian state of Jammu and Kashmir, which Mohita Bhatia's essay explores through caste, an analytical category that is rarely applied to comprehend the multilayered politics of Jammu and Kashmir. The essay argues against an exclusively conflict-centred approach to understanding politics in Jammu, particularly Dalit politics, because such an approach precludes any nuanced analysis of the heterogeneous, everyday social practices that are not directly related to the discourse of conflict between Kashmir and India. Using a localized ethnographic approach, it unpacks the layered caste and class experiences of the scheduled castes in Jammu that have emerged from both conflict and non-conflict situations, and in the process, explores the extent to which everyday Dalit assertion against the upper castes can co-exist with their participation in a pro-Hindu and nationalist politics. The essay thus expands our understanding of the idea of 'conflict' as it is applied to the state of Jammu and Kashmir, and its impact on a different set of inhabitants – the lower castes – of this heterogeneous state.

Rita Chowdhari Tremblay's essay provides a comprehensive analysis of the politics of Indian Jammu and Kashmir since 1947 through the lens of governance and identity politics. It asks the question of whether the delivery of good governance and inclusive economic development can, to some extent, mitigate the deep sense of alienation from, and hostility towards, India that drives contemporary Valley politics. The essay suggests that this assumption, most recently visible in the PDP-BJP alliance, remains flawed, because it does not address the deeper demands for dignity and social justice that are integral, as we can also see in Kazi's and Hussain's essays, to Kashmiris' sense of religious and regional identity and the demands for *aazadi* that stem from it. Moreover, much like Snedden's and Sökefeld's essays in the case of the areas of Kashmir in Pakistan, Tremblay's essay illustrates that the politics of resistance is an everyday act, in which agitation against and compliance with the state and nationalist groups, can, and often does, co-exist. Ignoring the voices of common Kashmiris can thus be parlous, because it is they who keep resistance movements alive.

The essays in this section caution us not to measure the political temperature of Kashmir based on the level of tourist traffic or participation in elections, as is often done by the media.² They also help explain the seemingly 'sudden' explosions of street violence that continue to plague the Kashmir Valley, such as in Handwara in April 2016, where a rumour of a young Kashmiri girl's sexual molestation by a

soldier led to widespread streets protests, army firing, the dismantling of an army bunker by protesters and the deaths of several innocent Kashmiris. These protests were a mere rehearsal for a far more vehement Valley-wide movement against the Indian state that erupted in the wake of the assassination of the young militant, Burhan Wani, in July 2016, and raged on despite a military crackdown by Indian authorities. This movement was started and kept alive by Kashmiri youth and common people who no longer responded to the Valley's elected or unelected leadership, and took their fears, alienation and anger against decades of misrule and contempt for Kashmiri identity into their own hands and onto the streets.³

Even as the Kashmir Valley takes centre-stage yet again, this section reminds us that while the Indian state of Jammu and Kashmir is a significant player in the politics of the conflict, not only are its sub-regions struggling with multiple issues that are not linked directly to the conflict, but also that the Kashmir dispute includes other regions and their inhabitants across the border. The question of how to define 'the people of Kashmir' is a complicated one that should not be conflated with a single group from the Kashmir Valley. The resolution of this problem, thus, is impossible without the inclusion and cooperation of all the sub-regions and regions in the peace process.

Representation

Representations of Kashmir, as is already apparent, are a product of an ongoing exchange between the past and the present, myth and history, memory and forgetting, and the visual, oral and textual; they are also, as much, a product of an ongoing dialogue between self-representation and representations by outsiders. As such, they have been a powerful means of asserting hegemony over the region.

Kashmir has always held a special place in the imagination of outsiders, whether the Sufi mystics from Central Asia, the Mughals, the British, or travelers from regions far and wide. Its geographical location at the crossroads of kingdoms and empires in South, Central and East Asia, and its uniquely mountainous landscape and salubrious climate, drew towards it saints, poets, kings, pleasure-seekers, hikers, photographers, filmmakers and many other adventurers, all of whom attempted to capture and claim its natural beauty, the skills of its people and its products.

In *Ain-i Akbari*, Abul Fazl described Kashmir as a 'garden of perpetual spring surrounding a citadel terraced to the skies' (Fazl, 2004, 831), and thereafter, the Mughal Emperors set about transforming its landscape to fit that appellation

through a construction of resplendent gardens, canals and pavilions throughout the Valley. Although these building projects reflected Mughal adoration for Kashmir and their attraction to the indigenous idea of Kashmir as sacred space, they were at the same time assertions of royal authority that seamlessly incorporated Kashmir's landscape into the Mughal imperial imaginary. The idea of Kashmir as a paradise on earth was cemented further through Mughal patronage of poetry and other narratives that commemorated Kashmir's landscape and the role played by the Mughals in rendering it yet more beautiful.

The Mughals set the stage for later appropriations and representations of Kashmir in other ways as well; for instance, they recognized and acclaimed its interconnected historical tradition in Sanskrit, especially Kalhana's *Rajatarangini*; its indigenous mystics or Rishis; and its products, such as Kashmiri shawls. Europeans in particular were drawn to these ideas and played a significant role in orientalising Kashmir from the eighteenth century onwards. Travelers sang paeans to and painted its stunning landscapes – which were later photographed with much zeal by colonial photographers – while its shawls became coveted commodities around the world. Meanwhile, orientalist scholars studied its Sanskrit texts with equal alacrity, giving Kashmir the designation of the sole region in the Indian subcontinent that had produced what could be termed a 'history'. This was a reference to Kalhana's *Rajatarangini*, which was collated and translated at the turn of the twentieth century by M. A. Stein, one of the many orientalists whose writings reinforced the idea of Kashmir as an exceptional region in British India (see Zutshi, 2014, esp. ch. 4).

Indeed, Kashmir as a special place, rendered as such by its cool climate, charming landscape, a uniquely syncretistic culture and finely crafted products, remains a common representation of the region to this day. The essays in this section take on the challenge of tracing the historical and more recent antecedents of these representations, while also revealing the constantly shifting transactions over the centuries amongst Kashmiri themselves, and between Kashmiris and outsiders, that have generated these ideas about Kashmir.

Dean Accardi's essay analyses the two most well-known indigenous mystics of Kashmir, Lal Ded and Nund Rishi, to illustrate how these figures became synonymous with Kashmiri identity and the syncretistic culture of *Kashmiriyat*. Focusing on their earliest memorialization in Kashmir's own hagiographical and historical narratives, the essay elucidates that the process through which these narratives embedded both figures into the Kashmiri spiritual landscape – thereby rendering them critical to the very definition of Kashmiri identity – was meant

to serve overlapping social, political and religious ends. The deployment of these figures to serve a variety of ends in multiple discourses has since continued.

Besides the solidification of Lal Ded and Nund Rishi as the spiritual representations of Kashmir, by the nineteenth century Kashmir was being represented in more concrete, material ways and in a far more global context. Vanessa Chishti's essay explores the Kashmir shawl as the focal point of European representations of Kashmir as a paradise on earth and the repository of authenticity. More specifically, it examines how portrayals of Kashmir in the European and British imperial imagination, and Kashmir's symbolic place on the global map, shifted according to changing patterns of European production and consumption of – and anxieties about – this luxury commodity.

Ananya Jahanara Kabir's essay brings us to the contemporary moment through its analysis of changing representations of Kashmir in popular Indian cinema since the 1960s. Through an examination of the depiction of the figure of the Kashmiri protagonist in three films, it illustrates the radical shift in representations of Kashmir from an idealized pastoral space set off from urban centres of power in earlier films, to a post-pastoral space of terror and violence in more recent ones. The portrayal of Kashmiris as Muslims, in particular through their relationship to local and global Islam, it argues, has allowed popular Indian cinema to find new ways to ideologically co-opt the Kashmir conflict and the place of Muslims in India.

Suvir Kaul's essay, at the same time, reminds us of how Kashmiris themselves, through the poetic medium, represent their land and people in the context of the transformation of Kashmir into a conflict zone as a result of the insurgency. It argues that a reading attentive to questions of poetic form can allow for an exploration of forms of trauma – both individual and collective – that ought to be crucial to our understanding of Kashmiris today. In this case, poetry becomes a powerful means of resistance, not just to political power, but to loss, discord and dispossession itself, thereby allowing us to imagine a better, more ethical, future.

This section illustrates that our representations of Kashmir – as pastoral paradise, home of a unique Islamic culture and fine crafts, and more recently, the centre of violence and conflict – are not necessarily essential to the place; rather, each of these ideas was generated in a particular context and for very specific purposes. Moreover, Kashmiris and outsiders have played an equally important role in the production of these narratives, which have served not only to annex Kashmir into our imaginations as an exceptional space, but have also been utilized by Kashmiris to register protest and grievance against the resultant injustices meted out towards the place and its people.⁴ Fictional

and poetic narratives by Kashmiris, for instance, not only challenge Indian and Pakistani state-sponsored nationalist narratives, but they also question the communitarian narratives put forward by those claiming to represent the interests of particular communities within Kashmir itself (see, for instance, Gigoo, 2011, 2015; Waheed, 2011, 2014).



In late 1947, when the future of Kashmir hung in the balance as India and Pakistan fought their first war over the region, Mahatma Gandhi often said that Kashmir would be the touchstone of Indian secularism (Abdullah, 2013, 309). Pakistan, at the same time, claimed Kashmir based on the religious affiliation of the majority of its population. Neither of these perspectives, however, which the two states have held on to for the past 70 years, has held real meaning for their policies towards the region, except in terms of reducing it to a piece of territory to be endlessly fought over.

As the chapters in this volume amply demonstrate, both India and Pakistan have looked upon the parts of Kashmir under their jurisdiction (in large part due to their strategic location) as areas to be controlled and managed, and their people to be coerced, rather than truly including them into the structures or ideologies of the state. While central government meddling into the affairs of many Indian states and Pakistani provinces has been endemic, especially in the immediate postcolonial period, it has gone much deeper and farther in the case of both Indian and Pakistani Kashmir. In many ways, then, Kashmir is indicative of the limits of nationalism, secularism, citizenship and democratic state-building in postcolonial South Asia. As democracy and secularism come under renewed assault in contemporary India and Pakistan, and around the world, the urgency of gaining insight into their contested meanings in the context of Kashmir, such as provided in this volume, becomes especially apparent.

Because Kashmir has been embattled ground for so long, for at least two states and many different groups of people, not surprisingly a mythology of uniqueness has emerged around it. The essays in this volume denaturalize the conflicts in and over Kashmir and demonstrate that there is nothing necessarily inevitable about them. Rather, they are a result of the convergence of specific political developments at particular historical moments and the purposeful implementation of certain state policies as a response to these developments. The predicament Kashmir finds itself in is not because it is distinct; it is the predicament that has produced the narratives of distinctiveness, which are drawn from pre-existing narratives within

Kashmir itself as well as narratives produced by outsiders as they have interacted with Kashmir in the past and the present.

The volume thus illustrates that we need to reconsider the nature of the conflict itself as being as much a battle over narratives, terms and ideas, as a battle over territory. In his paper presented to the Jammu and Kashmir State People's Convention in 1968, Balraj Puri, as representative from Jammu, argued that in the case of Kashmir, language itself had 'become a barrier to communication of ideas rather than their vehicle' (1969, 4). This is ever more relevant nearly 50 years later, and reminds us that no movement forward is possible unless we all, Kashmiris included, collectively jettison the rehearsal of the usual, well-worn ideas about Kashmir, which have significantly defined the nature of our engagement with the region and hampered the possibility of a resolution.

Collectively, these essays give us a comprehensive understanding of Kashmir, but also how knowledge about the place has been produced and continues to be generated by both Kashmiris and outsiders. This knowledge is critical to Kashmiri self-definitions and also creates a symbolic capital associated with its culture, its beauty and its products that contributes to a collective desire for the place. By balancing the heavy emphasis in earlier scholarly writing on the institutional aspects of the conflict with more historical, gendered and anthropological approaches to the region as a whole, this volume provides indispensable insights into the variety of nationalisms and forms of resistance; the complex relationships among state structures, nationalist movements and citizens; and the human experiences of conflict and violence on the ground in this region. These, in turn, provide a framework for better ascertaining the intricacies of political and social relationships in other disputed regions around the world.

The essays in this volume do not purport to offer a solution to the Kashmir conundrum, but they do suggest that if India and Pakistan are serious about a lasting resolution, then they will have to discontinue the practice of what Sökefeld has termed 'postcolonial colonialism' (2005) in the region. They will also have to make a genuine effort to address the myriad, sometimes contesting, aspirations of its inhabitants, instead of merely viewing them as anti-national traitors and second-class citizens. A sense of belonging, as we have seen in the case of Kashmir and many other regions of the world as well, is not measurable in terms of territoriality alone and certainly cannot be forced upon a group of people; it is the product of a long progression that involves the drawing of marginalized people into mainstream narratives and citizenship-making processes that give them a stake in the state and its concomitant definition

of the nation. And finally, the ongoing partitions between states and amongst the sub-regions of Kashmir, including the Line of Control – that have literally and metaphorically bordered the lives of its inhabitants and made the issue so intractable – must be bridged.

In his aforementioned essay, Mohammad Ishaq Khan suggested that despite being ‘nothing short of a revolution’, the mass uprising of 1989–90 was not successful in achieving its goals because it was not accompanied by a matching intellectual ferment. Instead, the intellect and intellectuals became ‘subservient to the gun or to opportunistic goals’ (2012, 31). This is mirrored in the increasing acrimony in public discourse in Jammu and Kashmir, which often rehearses irreconcilable ideological positions by dividing history and the contemporary moment along familiar, religious lines. The polarization of discourse, whereby Islamization and Indianization (read Hinduization) vehemently battle each other, runs deeper now than ever before.

In light of this, engaging in a scholarly study of Kashmir, not just of its recent past, but across the centuries, and through the lens of multiple disciplines, becomes especially urgent. Narratives, as we have seen, have the power to shape the way that we think about a place and its people and we cannot, as scholars, allow Kashmir’s history and politics to be hijacked by divisive forces and reduced to mere slogans. This is possible only if ideas, as Pratap Bhanu Mehta recently noted, are ‘encountered in their identity as ideas, not politics by another name’ (2016). It seems fitting, thus, to end with the Kashmiri poet, Rahman Rahi’s poem, ‘The Sad Jester’ (1987, 109–10):

In this world of shadows
Where everybody –
Lalla, Habba Khatoon,
Yazeed, Judas –
Standing on shifting sands
Is dancing;
And while dancing
Each looks like a sad jester;
Where everything makes one eye smile
And the other weep;
Where Plato seems
A sage among half-wits;
Where Zoroaster’s fire emits water;

In this world of shadows
 To suck in the bile of hatred
 To spew out splinters of (poisonous) diamond
 To save the *sumran* and burn down the *tasbeeh*
 To set up barbed wire between the courtyards of Arab and Ajam;
 The black man laid low and the white elevated;
 Bravo! splatter your own blood
 And tempt the hounds!

Endnotes

- 1 It is worth noting here that these territories, especially Ladakh and Kashmir, had been tied together through centuries of traditional familiarity and interconnections in the frontier lands between Central Eurasia and South Asia long before the creation of the Dogra state.
- 2 For instance, in its coverage of the Jammu and Kashmir assembly elections in 2014, New Delhi Television (NDTV) used the slogan 'From Haider to Hope', thus suggesting that the long lines at polling booths demonstrated Kashmiris' increasing belief in Indian democracy. (See <http://www.ndtv.com/assembly/from-haider-to-hope-a-true-kashmir-election-story-704278>, accessed on 13 May 2016). However, Kashmiris were eager to cast their votes in this election for a variety of complicated reasons – including their desire to overthrow the incumbent National Conference government as well as to ensure that BJP candidates did not succeed in the Valley – and not necessarily because they felt invested in Indian narratives of democracy, secularism and globalization.
- 3 The repercussions of this political unrest reached this volume as well, as one of the contributors, who lives in Srinagar, was unable to contribute the chapter on Ladakh due to persistent curfews, power and internet blackouts, and the general absence of communication between Kashmir and the outside world, not to mention the psychological impact of living in what felt like a prison to most Kashmiris. Sadly, thus, this left the volume devoid of an essay on Ladakh and its historical interconnections with Kashmir in the Eurasian context.
- 4 For a discussion of the divergences between Indian media representations of the Kashmir conflict, the ensuing violence and the people involved in these events, and representations of similar issues within novels, memoirs and films by Kashmiris, see Gangahar (2013). For a discussion of representation as a form of coercion, which also offers the possibility of different modes of resistance, see Gupta (2012).

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Part I

HISTORY

To 'Tear the Mask off the Face of the Past'

Archaeology and Politics in Jammu and Kashmir¹

Mridu Rai

Introduction

On 6 December 1992, when Hindu nationalists hammered down to rubble in full public view a sixteenth-century mosque in the northern Indian city of Ayodhya, it would seem that the British colonial project of archaeological conservation had also been decisively dismantled. The justification offered for the destruction of this particular mosque, built in 1528 by Mir Baqi, a general of the first Mughal emperor Babur (r. 1526–30) was the 'righting' of a historical wrong (Elst, 1993, 20–35). Hindu supremacists insist that Babur's general had destroyed a temple marking the birthplace of the Hindu God Ram to yield room for the mosque.

Given these circumstances, the third meeting of the World Archaeological Congress held in New Delhi could not have been more ill-timed, taking place as it did in 1994 during the second anniversary of the demolition of Babur's mosque.² With Indian archaeologists and historians divided on the question of whether an earlier Hindu temple had stood on the site, the Congress began and ended in fiasco. The debacle was precipitated by the organizing committee's having 'become identified with the Hindu cause'. Even the Indian Government's ostrich stance of discouraging any discussion of the 'politically and communally' charged issue of the mosque/temple could not prevent pandemonium. Not only had the reputation of Indian archaeology been tarnished, but the Congress gave 'rise to very great concern about the way in which archaeology in India is being politically manipulated' (Merriman, 1995, 20; Bernbeck and Pollock, 1996).

Yet, while the 1994 gathering had placed the 'crisis' of Indian archaeology under international scrutiny, the association between archaeology and politics was neither peculiarly Indian nor particularly novel. Nor was the conflict over this specific site new. As early as in 1856, officials of the British East India Company newly in control at Ayodhya, had noted stories of contested claims to the shrine

(van der Veer, 1995, 2; Srivastava, 1991, 45). Still, to overemphasize continuity obfuscates more than it illuminates. First, between 1856 and the 1990s, the context and the nature of the dispute had been profoundly altered. In the mid-nineteenth century, the conflict had been a purely local matter. From the end of the century onwards, it was instrumentally and symbolically yoked to a politics of Hindu and Muslim religious nationalism seeking monolithic all-India constituencies through contests over sacred centres (van der Veer, 1995, 11). Second, nineteenth-century colonial interventions in the recording of Indian history played a significant role in mediating this transformation.

As Katherine Prior has argued, the new importance of history grew partly from the British decision to rely on past practice as a 'guide' for regulating social relations and maintaining law and order in unfamiliar territories newly placed under Company control. Where religious disputes were concerned, this produced an artificially rigid reading of local history and pre-British precedent on the basis of which to fix in perpetuity the priority of one or the other community to 'rights of religious display'. In the past, disputes had been resolved by negotiation on the basis of the strength, varying over time, of the respective communities involved so that 'the religious identities of the participants', accentuated for a brief period, eventually yielded before 'other local considerations'. In the British search for a single interpretation was the implicit peril for communities of now 'being cast eternally on the "losing side"', lending fresh urgency to their presenting 'the past in the light most favourable' not only 'to their contemporary religious objectives', but also to serve as the basis for future action (Prior, 1993, 189, 194, 202).

In this context, archaeology as a discipline concerned with interpreting the material remains of the past also acquired new salience in sustaining claims of precedence for community rights. As other scholars have discussed, the colonial state's own determination to view each of India's monuments as belonging exclusively to one religion and its community of followers, rather than acknowledging their actual 'living' histories – demonstrating great hybridity and numerous overlays of worship and ritual by members of different faiths – considerably compounded contemporary custodial disputes within the context of newly-mobilized religious communities over a panoply of shrines in the subcontinent, such as the Mahabodhi Temple at Bodh Gaya (Lahiri, 1999, 40; 2004, 112; Guha-Thakurta, 2004, 268–303; Mathur, 2007, 133–64).³ This prompts a return to the issue raised at the outset: did the demolition of Babur's mosque in 1992 represent the failure of colonial archaeology, or in fact, paradoxically, mark its success in that the discipline had gained further ground

in Indian society than even its British progenitors might have envisioned, albeit through its articulation for new uses?⁴

This article examines the historical and political trajectory of the colonial archaeological project when it was extended to the princely state of Jammu and Kashmir. Pressed to do so by the Imperial Government in 1901, the princely state's adoption of the archaeological enterprise had several unforeseen consequences. Founded as a religiously neutral venture, archaeology ended up amplifying religiously defined identities within Kashmir. While promulgated as an undertaking rising above politics, it ended up galvanizing a movement of Kashmiri Muslim self-assertion against their princely rulers. If the Dogra-Hindu state of Kashmir refashioned British archaeology to legitimize its own authority to rule over Kashmiris, a rising Kashmiri Muslim leadership appropriated it to reclaim sites of religious, cultural and political affinity from the Dogras and to formulate a sense of community-in-neglect demanding autonomy.

Yet, for all these instances of appropriation and redefinition, even as late as the end of the nineteenth century, most Kashmiris had been at best indifferent to their historical antiquities. According to one account from 1889, inquiries about the ruins dotting the Valley revealed little beyond 'vague guess[es]' about their founders. Even the Pandits, among those literate members of Kashmiri society eventually closely involved with the state's archaeological department, 'care[d] nothing for archaeological research, and kn[ew] little about the past glories of their country in the old Hindu times' (Lawrence, 1895, 161). What explains the dramatic change in outlook only decades later? It is tempting to credit this to colonial lessons proficiently learnt by Kashmiris. For some this might indeed have been true, but for the vast majority with no access to the formal institutions of colonial training, this explanation is scarcely convincing. Yet, some of the premises of colonial archaeology had certainly become familiar to significant numbers of Kashmiris by the early twentieth century. How and in what circumstances did the extension of this colonial discipline, one of the more arcane, proceed?

In his seminal work, *Imagined Communities*, Benedict Anderson links archaeology to the powerful enterprises of the census, the map and the museum that shaped colonial conceptualizations of their dominion. As the resulting imaginings of territory, peoples and the historical ancestry of the state were 'inherited' by anti-colonial nationalists and then by post-independence states, so too were their archaeological projects (1991, 163–85). The rather meagre part that colonized subjects play in this analysis is to consume and replicate colonial institutions. In the absence of a discussion of 'native' agency in the making of

colonial projects, Anderson's argument is open to charges of advancing a model of 'diffusionism' now discounted both by theorists of empire and of archaeology.

The work of Partha Chatterjee and his co-authors in his edited volume titled *Texts of Power* suggests some correctives (1995). These essays probe the role of 'disciplines', such as literature, art and political science, among others, in enabling and sustaining the colonial state as a modern regime of power. However, as Chatterjee contends, the British Indian state was a distinct form of modern power caught in a peculiar double bind. The agenda of 'representativeness' that would make power hegemonic and 'a matter of interiorized self-discipline, rather than external coercion' was constrained by that other exigency, without which colonial rule could not subsist; that of maintaining the 'difference between colonizer and colonized'. These antithetical requirements exerted contrary pulls on the state: the need and unprecedented capacity, to extend colonial disciplines was reined in by the imperative of preventing their full appropriation by Indians, which, if permitted, threatened to erase the 'difference' on which colonial power rested.

Yet, as Chatterjee points out, the successful emergence of Indian nationalism would be hard to explain if imperial power and its disciplines had indeed remained cloistered. In fact, the walls were breached and colonial disciplines reproduced in Indian society. But, making room for Indian agency, this is seen as a contested process in which disciplines were disseminated only after they had been translated. More than linguistic adaptation, translation entailed the transformation of the disciplines into 'new forms' to reflect the alternative (nationalist) political agendas of its Indian participants (1995, 8, 19).

There is certainly much in this line of thinking that the evidence from Kashmir supports. However, Chatterjee's volume deals with a specifically Bengali middle-class encounter with the colonial state. From this narrower field it might be possible to infer not only a remarkably coherent colonial project of control, but an equally coherently charted resistance by Bengali intellectuals. Theirs was an engagement specifically within the framework of colonial disciplines with the objective of 'carv[ing] out spaces that would be no less "disciplinized" but where national identity would be implicated in defining the position' of the Indian practitioner (1995, 19).

There are several reasons that justify shifting the gaze away from Bengal if we are to understand more fully how colonial control and resistance proceeded in other parts of India. First, Bengal had evolved a middle-class intelligentsia self-consciously engaged with colonial 'modernity' much earlier than most regions of the subcontinent and with a head start of over a century on the Kashmiris. By the

late nineteenth century, this was a middle class – socially, politically, economically and intellectually distinct from both the indigenous 'aristocracy' and the 'masses' – 'reared by colonialism' but in quest of a counter-hegemonic space (Guha, 1992, 69–76). Second, in directly-administered Bengal, the British could be less ambiguously identified as the target of opposition than in Kashmir where princely rulers mediated colonial interventions, disciplinary and political.

In Kashmir, it was some of these very colonial projects, notably the archaeological, that were harnessed not only to mount resistance by Kashmiri Muslim subjects against their Hindu rulers, but also to aid the emergence of a still nascent Muslim middle-class political leadership that would only eventually turn anti-colonial. Unlike Bengali intellectuals, their interest was not so much in the discipline of archaeology *qua* discipline, to be reshaped to 'nationalist' ends, but in other ancillary aspects flowing from it that furthered their political goals. To anticipate my argument, archaeology gained a hold among Kashmiri Muslims when, and because, it was introduced as a duty of the princely state and carried with it the concomitant idea of subjects with rights.

Archaeology and the colonial state

'During the infancy of British rule', the protection of India's ancient monuments was largely a side-interest for officials otherwise 'fully occupied with the arduous tasks of government' (*First Report of the Curator*, 1882, 4). From this a more methodical enterprise emerged under Alexander Cunningham's leadership of the Archaeological Survey beginning in 1861. But the real overhauling of Indian archaeology occurred under Lord Curzon, Viceroy of India from 1899 to 1905, in partnership with Sir John Hubert Marshall, appointed Director General of Archaeology in 1902. Together they transformed the Archaeological Survey of India into a formidable institution and gave a new prestige to its work.

Indian archaeology owed its development to the scholarly passion and inquisitiveness of individuals such as Alexander Cunningham, James Fergusson and James Prinsep, who sought to make the 'silences' of Indian history speak. Its regeneration owed to the aesthetic sensitivity combined with the 'powerful historical imagination' (Cannadine, 1994, 80) of Curzon. Their collective endeavour was to add to a common body of human knowledge extending beyond their imperial boundary. However, it was the political purpose it served that made Indian archaeology a colonial project. Unlike Europe, where private wealth often funded the conservation of monuments, in India archaeology began as and remained a responsibility of the government.⁵ Therefore, every progress

notched proved 'the enlightened principles by which the Indian Government [wa]s guided' (Vogel, 1922, 477). This association between diligent archaeology and good governance was particularly pronounced after the Revolt of 1857. Its new archaeological sensitivities allowed the post-rebellion state to disown its predecessor in whose official mind 'the barbarian still dominated the aesthetic' concerned as it was 'with laying the foundations ... of a new Empire, [thinking] little of the relics of old ones' (Curzon, 1900, 232). Whereas earlier trader-officials had transferred the historical and cultural wealth of India to Britain (Cohn, 1996, 76–105), after 1857 the colonial state constructed its legitimacy on the ground, and in full view of Indians.

Through their adoption of the archaeological enterprise, the British placed themselves in a specifically colonial pattern of historical succession in India. At one level they asserted continuity with Indian precursors to tap into their putative legitimacy. Thus, in his impassioned speech to the Bengal Asiatic Society on 6 February 1900, Curzon elaborated a linear historical vision in which one ruler followed another with equal right to rule, pinning their legitimacy on the safekeeping of a common Indian historical legacy (1900, 227). Curzon also took particular care to point out that 'the majority of Indian antiquities, especially those of 'the Muhammadan epoch', did not 'represent an ... Indian style'. Culling archaeological evidence that India's past was a mosaic of rulers as 'foreign' as they were, eased British succession to its governance. Yet, in an apparently contradictory move, while asserting historical continuity, the colonial state also maintained its qualitative separateness from India and Indians. The British claimed a unique perspective on India's history, which made them 'better fitted to guard, with a dispassionate and impartial zeal, the relics of different ages, and of sometimes antagonistic beliefs'. Soaring above the alleged Indian spirit of fractiousness, they alone could see that the relics of India represented the 'glories or the faith of a branch of the human family' (1900, 229–30). Therefore, archaeology as a colonial undertaking sought to function in Indian society while keeping itself above it.

A colonial sociology that saw Indians held eternally hostage by what Curzon called 'the dogmas of a combative theology' (quoted in Gilmour, 1994, 178–79), justified concerns that if Indian society were allowed to take over, Hindu-Muslim antagonism would inevitably intervene to destroy each other's memorials.⁶ Insisting, as Curzon did, that archaeology's concern was purely with 'tear[ing] the mask off the face of the past' (quoted in Gilmour, 1994, 178–79), buildings were selected for repair solely for their 'architectural merit or historic associations' (Marshall, 1915, 4).⁷ Yet, this assertion of religious neutrality was profoundly

contradictory since it was a colonial perspective that had sorted historical monuments, whether secular or religious, into the 'communal' categories of Hindu and Muslim (Metcalf, 1997, 151–53). The colonial state's non-partisan credentials were founded on first clothing monuments in religion to then strip them of it.

This paradox was partly rooted in the archaeological survey's founding rationale, which had been the deployment of this new science to unlock the secrets of India's remotest past. But colonial historiography also depicted the ancient period as the 'Hindu' era preceding the 'Mahomedan invasion'.⁸ Focusing on the oldest remains available implied the protection of those 'sacred edifices that [had] escaped destruction at the hands of the Moslem invaders', guarding them as 'national heirloom[s]' (Marshall, 1915, 6–7). A result of the Survey's exertions, therefore, was not only to preserve historical remains, but also to put into public circulation stories of conflict, now purely religiously construed, that may have faded from the 'national' memory. The link between religion and history was far from broken. Still, the British were committed to the principle of the separation since religious neutrality was proclaimed a central pillar of colonial governance.

A superior right to rule so defined had also to be recognized by its presumed beneficiaries. But contemporary Indian attitudes towards their monuments were singularly unhelpful in this regard, frequently provoking Curzon's exasperation with 'a local and ignorant population, who s[aw] only in an ancient building the means of inexpensively raising a modern one' (Curzon, 1900, 228). Ironically, as Nayanjot Lahiri reminds us, a considerable amount of damage was done to numerous Indian monuments by those very British officials charged with restoring and preserving them (Lahiri, 2004). However, these inconvenient facts were conveniently swept under the carpet and British efforts turned to awakening a 'wider public interest' and a 'veneration for the remains of antiquity' by setting up museums, linked to colleges and schools, and offering state scholarships to provide archaeological training to Indians (Marshall, 1915, 3). For all this, however, Indians involved were given clearly to understand that they could not transgress the priority of the imperial government's aims.

In the mid-1880s, the British-trained Rajendralal Mitra had his knuckles soundly rapped for doing so when, letting nationalist colours show, he had refuted the contention made by James Fergusson and others that Indian stone architecture derived from the Greeks. Fergusson's witheringly racist riposte asserted that the 'real' issue was not Mitra's archaeological scholarship but whether, in the graver context of the Ilbert Bill agitation, 'the Natives of India [were] to be treated as equal to Europeans in all respects' (Fergusson, 1884, vi–vii).⁹ Here was an exposition of

Partha Chatterjee's 'rule of colonial difference' that prevented the colonial state as 'a modern regime of power' from fulfilling 'its normalizing mission because the premise of its power was the preservation of the alienness of the ruling group' (Chatterjee, 1993, 18).

Archaeology and the Dogras

The British viewed Indian archaeology as a task too important to be left entirely to Indians themselves. As Lord Minto, Curzon's successor, asserted in 1907, the supervision of archaeology would have to emanate from the Viceroy himself.¹⁰ But many of the edifices the British wished to preserve were put beyond their reach by Queen Victoria's proclamation of 1 November 1858 that, while ending Company rule, had guaranteed the territorial possessions of India's princes and their sovereignty within them, albeit subordinated to British paramountcy. In principle, then, the colonial state could only 'invite' the co-operation of the native states in their archaeological enterprise (Marshall, 1915, 3). But an invitation from the Viceroy, issued as it was in 1901, promptly brought into being the Kashmir state's own Archaeological and Research Department in May 1904.¹¹ Historical edifices located in princely territory were deemed 'national' monuments, justifying not only the colonial state's placing a 'definite duty' on their rulers to preserve them, but also the warning issued to the Kashmir durbar (princely government) that any lapse in this regard would compel the imperial government 'to interfere and assert its own responsibility in maintaining them'.¹²

Despite their efforts at asserting supervisory authority, control over archaeology could not remain entirely in colonial hands. This is apparent from the frequent British censure levelled at the Kashmiri department, within years of its establishment, for its inefficiency and apathy.¹³ The Director General bemoaned its neglect of monuments as unrivalled in any other princely state,¹⁴ and the Viceroy shared his despondency.¹⁵ In his report for 1908–09, when the archaeological surveyor for the frontier circle, Dr Spooner had castigated the Kashmir durbar for its inactivity, significantly he had also noted that the only time its officials 'display[ed] any energy at all' was when the British were 'trying to help' and then it was 'directed to putting difficulties and obstacles' in their way.¹⁶ In fact, while the durbar had no objection to Spooner's touring the state or offering recommendations, it felt that all 'active field work, whether conservation or excavation' must be reserved for its own officers.¹⁷

There was head-butting also over the ownership of archaeological finds. In 1910, in the aftermath of a British-sponsored historical survey of Ladakh, the

darbar declared that no artefacts could be removed from the state. Marshall, taken aback by this novel 'solicitude of their antiquities', went so far as to challenge the state's right to them on the grounds that it had not financed the expedition. Such disputes only further provoked the darbar's obduracy¹⁸ and within a decade, a notification of the Kashmir Government proclaimed unequivocally its primary title to objects of archaeological, historical, or literary interest in its territories.¹⁹ These incidents reflected more than British frustration at the darbar's incompetence or the latter's reluctance to assume its archaeological duties: they marked, instead, an emerging contest over who would shape this new undertaking, how it would be shaped and for whose glory it would be conducted.

C. A. Bayly has described the rise of new eighteenth century Indian states in which rulers established their sovereignty through links with powerful symbols of their own faiths. Yet, they were still based notably on traditions of 'religious compromise' as Hindu, Muslim and Sikh rulers 'insisted not on the exclusiveness but on the primacy (or merely the equality) of their own form of worship' and a subject's belonging to a different faith did not in itself preclude access to power (Bayly, 1998, 45, 214–21). The state of Jammu and Kashmir founded in 1846 through the Treaty of Amritsar, however, was of a different order. Created to meet imperial requirements of securing the north-western frontier of India, the British were anxious to strengthen their new allies and worked with the rulers to centralize their power. The British were also keen to ensure that this largely arbitrary feat of state construction be seen as legitimate. Given the newness of Dogra rule in Kashmir and the urgent need for their stability, this legitimacy was sought largely extra-territorially by fashioning the Dogras into 'traditional' Hindu rulers generically identified as 'original' Indian sovereigns.

As Eric Hobsbawm has pointed out, 'invented traditions' did not necessarily break with the past, but could tap into 'ancient materials' to establish new traditions for 'novel purposes' (Hobsbawm, 1989, 4–6). Insofar as Kashmir's rulers drew on religious symbolism to establish authority, they followed eighteenth-century patterns. But by the end of the nineteenth century, reimagining the Kashmiri political landscape as Hindu, with a protecting British hand securing this process, meant that the Muslim majority (though not all of them) became increasingly peripheral to the authority of the Dogras. This also obviated the need for the ruler to seek legitimacy through the time-honoured practice of patronizing the symbols of all his religiously diverse subjects (Rai, 2004).

An important distinction Eric Hobsbawm makes between 'old and invented practices' is that 'the latter tended to be quite unspecific and vague as to the nature

of the values, rights and obligations of the group membership they inculcate' (Hobsbawm, 1989, 10). Indeed, the Dogras were concerned with mining in rather general ways 'older' stores of Hindu symbolism. Thus, they became regular visitors to and patrons of worship at Haridwar and Benares, the great Hindu sacred centres of northern India.²⁰ The promotion of Sanskrit learning similarly provided access to a prestigious 'Hindu' symbol. More so since the break in a tradition of Sanskrit scholarship in Kashmir was explained by European linguists such as Georg Bühler as being the result of 'Mahommedan oppression' interrupting the rule of 'native kings' (Bühler, 1877, 25). Renewed princely sponsorship would therefore signal the revival of 'indigenous' Hindu rule.

But while Maharaja Pratap Singh (r.1885–1925) declared his intention to establish 'once more the reputation Kashmir enjoyed in Sanskrit learning as in the days of old',²¹ this link evidently had to be forged anew since, as Bühler remarked in 1875, excepting a very few Kashmiri Pandit families, for the most part 'the quality of the Sanskrit spoken or written' among them was mediocre (Bühler, 1877, 19–20, 25–28). The patronage of Sanskrit served the purpose also of cementing a valued alliance with the Kashmiri Pandits as part of a wider effort to unite the territories of Jammu and Kashmir in a common frame of worship by drawing closer different strands of Hinduism – the Dogra devotion to Vishnu with the Shiva and Shakta (goddess) worship of the Valley's Hindus (Rai, 2004, 121–26).

So when the British reproached the Kashmir durbar for its alleged indifference towards research,²² they had clearly misjudged its attitude which, far from unconcerned, was keen to ensure that 'knowledge' produced by its scholars would serve Dogra aims of sustaining their cultural authority as Hindu patrons. In 1910, Maharaja Pratap Singh had reorganized the archaeological department internally to separate the tasks of archaeology and research.²³ Purportedly a measure for administrative streamlining, it also ensured that while conservationists would continue to be trained at British hands, research would be the preserve of local (mostly Pandit) experts under a Sanskrit scholar.²⁴ At the same time, the research branch, seeking a genealogy preceding British influence, traced its origins to Maharaja Ranbir Singh (r.1856–85) and his 'pious regard for the inherited religious traditions and enlightened interest in Indian learning' (Chatterji, 1909, 1).²⁵ However, Ranbir Singh had sought specifically to 'foster Hindu learning'.²⁶ A great part of the research branch's attention was directed to publishing the ancient texts of Kashmiri Shaivism, deemed to be the Valley's greatest 'humanistic achievement' (Shah, 1953, 1; Kaula, n.d.). While the British certainly applauded the Dogra revival of Sanskrit scholarship,²⁷ yet they regretted that 'nothing had been done during this

period towards elucidating the political history of the State'.²⁸ Nevertheless, the Dogra reinvention of their religio-political landscape had registered so widely that the eminent civil servant Walter Lawrence could write on 6 October 1931 to Sir Samuel Hoare, the Secretary of State for India, that Kashmir was 'holy ground to all the Hindus of India' (Lawrence Collection, IOR&L, British Library, London).

In no position to disavow its archaeological responsibility, the Kashmir durbar was nevertheless loath to adopt the religiously-neutral idiom the Imperial Government favoured. While the colonial state made the preservation of archaeological legacies an obligation, Indian rulers had to devise their own ways to meet it without undermining the ideological underpinnings of their power. In this context, lists of ancient monuments in Kashmir, such as the one British Indian archaeologists had drawn up in 1886, presented a particularly knotty problem: not only were all eleven monuments specified religious buildings (some in current use), but two were Muslim edifices.²⁹ For the Dogras, protecting these latter entailed the difficulty of reconciling their archaeological responsibility with their status, in the way it came to be defined, as 'Hindu' rulers.

Custom in Kashmir had made its various communities responsible for the upkeep of their religious shrines. Muslim structures were looked after by *mutwallis* (managers) accountable to their localities and notables (Dogra, 1917, 245–49). In the case of Hindu shrines, while private temples were the responsibility of their founding individuals or families, the care of 'state temples' was entrusted to the Dharmarth Trust established by the Maharajas as a private trust in 1857 to 'ensure the advancement of the sacred religion of the Hindus' (*Ain-i-Dharmarth*, 1884, 2). Although by the end of the century the trust had been made into a government department, the upkeep of Muslim shrines remained excluded from its liability.³⁰

Conversely, where temples were concerned, the purview of the Dharmarth expanded steadily with Dogra proclamations insisting that the condition of *all* temples reflected on the standing of the Hindu faith and the prestige of the ruling house. Justifying the Dharmarth's taking over even private temples in disrepair³¹, this turn in policy was deemed consistent with the 'custom' of communities caring for their own shrines, even though the lines between the Hindu community and the state were becoming increasingly blurred. The maintenance of Muslim shrines, however, still remained the responsibility of Muslims, whether from the state or outside.³² And before colonial archaeology's involvement in Kashmir, Muslims seemed to agree. Muslim-owned newspapers published in the Punjab (and widely read in the Valley since no newspapers were allowed publication there until 1932), reiterated that it was the obligation of Muslim *anjumans* (organizations) and

community leaders, whether in Punjab or Kashmir, to raise funds for the repair of Kashmiri shrines.³³

The Kashmiri archaeological department's activities in the first decades after its foundation suggests that it had come to understand its task as the protection of places of worship, current or old, particularly of the Hindu community. This is amply apparent in the energy it devoted to preserving a stone plinth of 20 feet – scant remains scarcely justifying a conservationist's attention except that they marked an ancient site of the worship of the deity Hatkeshwar venerated by Pandits.³⁴ This site had become the centre of a dispute between Muslims and Hindus since 1912 when some Muslims had removed stones from it believing they belonged to an adjacent mosque, the Hara Masjid. Interestingly, it was the Dharmarth department that instituted criminal proceedings against them. And when the dispute was revived in 1916, the Maharaja once again asked the Dharmarth, and not the archaeological department, to intervene to fence off the plinth from encroachment. He added the caution that 'Mohammedans ha[d] no right to interfere with Hindu shrines' and proposed the immediate construction of a temple to prevent a 'breach of peace between the two communities'.³⁵

Different parties to this dispute looked to the archaeological enterprise differently. Interestingly, the Muslim petitioners echoed British conservationist principles most closely when they argued that, though in ruins, the foundations of the Hara Masjid were still extant compared with the Hatkeshwar remains.³⁶ For his part, when the Maharaja finally transferred the site to the archaeological department in 1923, the latter had become sufficiently adjunct to the Dharmarth department so that supporting archaeological principles could reinforce his status as the protector of Hindu worship. When archaeologists cordoned off the plinth, not only were they replaying the earlier actions of the Dharmarth, but likely they did so with a view to privileging Hindu over Muslim claims to the disputed area.³⁷ And the research branch provided signal service in strengthening the durbar's hands in its selective protection of this and other Hindu shrines. In the case of the Hatkeshwar site, scholars ploughed through the *Rajatarangini*, the twelfth century chronicle of Kashmir, to confirm its antiquity and historical worth.³⁸ The research department had also drawn up lists of ancient monuments, such as the one included as an appendix in J. C. Chatterji's report of 1909, punctiliously identifying temples converted into mosques or Sufi shrines – important steps in decreeing Hindu precedence over contested sites (Chatterji, 1909, Appendix A).

By the end of the first decade of the twentieth century, Francis Younghusband,

the British Resident in Kashmir, provoked colonial dismay when he reported that the durbar plainly did not 'care to throw away money on Muhammadans'³⁹ or the restoration of their mosques or tombs. The state's plea of being short of funds was hardly corroborated by its generous disbursal of money at around the same time for maintaining Hindu places of worship.⁴⁰ While, after 1858, the colonial state had allowed princely states considerable internal autonomy, they had at no point relinquished their paramount authority; and while they had allowed the Kashmir durbar to find its own means to implement their cherished archaeological project, they had at no point surrendered their right, stated at the outset, to correct any failings on that account. Faced with such blatant display of religious partisanship and embarrassed by growing public condemnation of the neglect of Muslim monuments and, therefore, also of a project it had initiated, it was time for the Imperial Government to remind the Dogra state of its 'definite duty' to maintain all historical remains within its charge.

Archaeology and Kashmiri Muslims

The gap between colonial archaeological principles and their application in Kashmir provided a space that Kashmiri Muslims manoeuvred to excise their shrines and, by extension, their community, from the control of the Dogra-Hindu state and to challenge its legitimacy to govern them. The colonial state's intervention had suggested to Kashmiri Muslims that if the state had a duty to preserve their monuments, they in turn had the right to expect such protection. By the end of the first decade of the twentieth century, this new perception found voice also in the Muslim-owned Punjab press that now heaped condemnation on the durbar for neglecting the Valley's mosques and demanded, in the vein of British archaeologists, that the Dogra state perform its duty in 'pay[ing] due heed to...[these] ancient buildings'.⁴¹

The ensuing debate over the conservation of mosques, shrines and tombs also opened new religio-political terrain to different groups of Kashmiri Muslims competing for the leadership of their co-religionists. From the late nineteenth century on, there was a growing rift in Muslim allegiances owed to one of the two Mirwaizes (chief preachers) of Srinagar – that of the Jama Masjid who gathered around him a more socially exclusive elite pitted against that of the Shah-i-Hamadan shrine. This cleavage also partly reflected a doctrinal preference for either the Sufi saint-based path associated with the Hamadani Mirwaiz or the more orthodox so-called 'Wahabi' leanings of the Jama Masjid faction (Lawrence, 1895, 286). The durbar chose to associate with the latter as evidence from the 1890s had suggested

that its then Mirwaiz, Rasul Baba, exerted greater influence among Muslims in Srinagar, especially its landed and commercial elite.⁴²

These 'leading' Muslims were locked in a mutually supportive relationship with both the Dogras and the imperial government: in return for their loyalty to both, they were in turn recognized as 'representing the thoughts of all the Mussalmans of Kashmir'.⁴³ Despite all this, however, the religious affinity of a majority of Kashmiri Muslims was still oriented towards Sufi Islam (Lawrence, 1895, 292) and from the late 1920s onwards the Hamadani Mirwaiz emerged as an important alternative focus for political activity. This was especially so once the young political activist, Sheikh Mohammad Abdullah, returning to the Valley after his studies, chose to ally with him as the leader of a more broad-based constituency and one less tied to the durbar. While the control of shrines became pivotal in the emerging contest for Muslim hearts and minds, the new politicians soon discovered that not all Muslim places of worship were equally amenable to mobilization against the Dogra-Hindu state.

As might be expected, the Jama Masjid was unavailable for such anti-durbar activity, given the relationship between its Mirwaiz, his supporters and the Dogra state. This was despite the fact that the mosque had drawn the attention, in 1906, of British archaeologists and leading Kashmiri Muslims as a neglected historical monument in urgent need of repair.⁴⁴ Interestingly, bowing before British pressure, while the Maharaja contributed financially to its restoration, he did so in ways that released him from any archaeological liability for the maintenance of Muslim shrines more generally. While his donation of ₹40,000 was undeniably munificent, it was conditional upon 'his Sunni subjects' providing the greater part of the necessary expenditure (raised as a tax collected along with land revenue from Muslim peasants).⁴⁵

The involvement of the Kashmiri archaeological department was also notably minimal, being limited to ensuring that no Hindu edifice was demolished in repairing the mosque.⁴⁶ Work on the mosque also provided a useful opportunity for the Mirwaiz and his elite *confrères* to reiterate their leadership of all Kashmiri Muslims. The committee they set up to supervise repairs freely volunteered the subscriptions of their peasant co-religionists, without actually consulting them, asserting confidently that no Muslim would object as 'the work [was] entirely in their interest and in accordance with their wish'.⁴⁷ In thus taking on the responsibility for the repair of the mosque, the Jama Masjid committee, however, only further strengthened the pattern of patronage acceptable to the Dogra durbar. The Maharaja's donation in this instance was to be seen as an

exceptional gesture of magnanimity and not as a right to which his Muslim subjects were entitled.

The early twentieth century history of the Patthar Masjid was altogether different in this regard and bears recounting in some detail. By all accounts, the mosque had held no particular sanctity for Kashmiri Muslims until the first decades of the twentieth century. Built by the Mughal empress Nur Jehan in the early seventeenth century, it had been declared unfit for worship soon after its construction. While several explanations have been offered for this,⁴⁸ by the time the Dogras took over Kashmir it had long ceased to be used for prayers, serving instead as military stables and later as a state granary.⁴⁹ And there is no historical evidence of Muslims objecting to such secular employment of the mosque. That is until 1906, when British archaeologists noting it as a 'mosque ... very precious in Srinagar, where so few stone buildings exist', called for its preservation.⁵⁰ But despite soliciting a report on 'the history and archaeological interest' of the mosque, Pratap Singh decided in 1911 to use it for an orphanage dedicated to the Hindu deity Hanuman.⁵¹ Now Muslim opposition to the desecration of the shrine erupted out of all proportion to their preceding silence. Conveniently forgetting that their own forefathers had discarded the structure centuries earlier, petitioners exhorted the state's revenue minister to have 'the mosque restored to its *legitimate* purpose.'⁵²

When, in 1912, the Maharaja decided to press on with turning the site into an orphanage, the Muslim-owned Punjab press registered the debate once more. The sacrilege of a Hindu idol being 'worshipped in the mosque' was linked symptomatically to an array of non-religious disabilities suffered by Kashmir's Muslims, such as the denial of educational opportunities, the absence of proprietary rights in land, arbitrary acts of eviction, oppression by the 'pettiest officials' and the compulsory and unpaid requisition of their labour, from all of which disabilities Hindus were seen to be exempt.⁵³ Articles also rebuked the Kashmiri Muslim elite for their inadequate leadership.⁵⁴

Although in 1913, the Maharaja officially agreed to transfer the Patthar Masjid to the Kashmiri archaeological department,⁵⁵ he delayed implementing the measure. In the fresh round of agitation that followed, Kashmiri Muslim demands shifted subtly. Focusing not only on the religious significance of the mosque, petitions from this period showed a notable replication of the colonial state's language in advertising the historical worth of the shrine. In the words of one supplicant writing to the Viceroy, the destruction of 'an ancient mosque called Pathar Masjid ... a very good specimen of ... architecture of the time of the late

[Emperor] Jahangir' would mean that 'a valuable old architectural monument [would] disappear'. The petitioner also pointedly enumerated the Kashmiri Muslims, 'thirteen lakhs', whose 'feelings' this measure would injure.⁵⁶

To prevent this, another appealed not only that the building continue as a mosque, but also that it be returned to the Muslim community so that it might undertake its repair.⁵⁷ Kashmiri Muslim mobilization around the Patthar Masjid, manifested in large parties assembling to pray within its premises,⁵⁸ was no longer content with condemning the durbar for shirking its archaeological duty but increasingly insisted on the autonomy from the state of this rediscovered site of their affinity, both historical and religious.⁵⁹ Indeed, Muhammad-ud-din Fauq, a Kashmiri expatriate in Lahore who edited the *Kashmiri Magazine*, suggested that if Hindu places of worship were 'daily extended and beautified to please only five percent of the inhabitants of Kashmir' while 'the religious places of 95 percent inhabitants of the State' could not be given the same attention, 'they should at least be restored to the Muhammadans'.⁶⁰ Crucially, in repeatedly invoking the numerical majority of Kashmir's Muslim subjects, what was also being disputed was the Dogra shaping of the Kashmiri landscape as Hindu. Muslims were reinserting themselves powerfully into that space and claiming it as theirs.

Not inaccurately detecting 'ulterior motives' in the 'movement now started for [the] recovery' of the Patthar Masjid, which had been in state possession since Gulab Singh's reign, Pratap Singh ordered in 1922 that the agitators 'be given clearly to understand that they have *no rights*'.⁶¹ Sources go quiet on the Patthar Masjid over the following decade suggesting that the durbar's fiat of 1922 may have become the official status quo. But the Muslims' counter-claim of their right to the possession of their neglected monuments remained alive in the interim and was revived in the aftermath of Hindu-Muslim riots that erupted in 1931.⁶²

Examining a wide array of economic and political grievances believed to have caused the disturbances, the British-appointed B. J. Glancy Commission's report of 1932 included a criticism of the Kashmir durbar's archaeological functioning. It stated bluntly that upholding Pandit claims to 'a large number of buildings ... at one time temples' but later transformed into Muslim places of worship was 'impracticable' and 'out of the question'. In light of 'mass conversions' to Islam, as had occurred in Kashmir, it was 'only natural that a number of sacred buildings devoted to the observances of one particular faith should have converted to the use of another religion' (Glancy, 1932, 4). By recommending the return to the Muslim community of almost all the shrines they had demanded, barring those too dangerously dilapidated, the Commission had certainly strengthened the

Muslim position vis-a-vis the durbar. Strikingly, the report had also invalidated the principle of 'first peoples' on the basis of which the Dogras and Pandits had re-imagined Kashmir as 'originally' Hindu. Drawing attention to mass conversions re-inscribed Muslims into their history and region. And, perhaps unconsciously, it also redefined the contemporary territory of Kashmir – no matter what lay beneath its historical layers – as Muslim.

Gathering a variety of anti-Dogra interests in the months preceding the riots, a new regional party named the Muslim Conference was inaugurated under the leadership of Sheikh Abdullah in 1932. Distancing itself both from the Muslim elite and the Dogra state, and seeking a popular constituency among Kashmir's artisans and peasants, it had made the restoration of Muslim shrines under state control – particularly the Patthar Masjid – a key issue in reversing Muslim powerlessness. Fully aware of this political significance of the Patthar Masjid agitation, the durbar restored the shrine to the Muslim community on condition that 'no speeches other than the purely religious [could] be made in the mosque or in the compound attached to it'.⁶³ This was an unusual caveat reserved for this shrine alone.⁶⁴ Embodying a combination of religion and politics, a politics especially potent for demanding the fulfillment of rights and not occasional generosity, the Patthar Masjid elicited extra caution from the Dogras.⁶⁵

However, this exceptional treatment not only amplified the symbolic centrality the shrine had acquired in the preceding decades, it further spurred the Muslim Conference's determination to wring political dividends from control over it. The durbar's stipulation notwithstanding, by 1933 the Muslim Conference not only began constructing a party office within the mosque's premises, but also appropriated the right to issue *fatwas* from its pulpit through religious experts of its own choosing.⁶⁶ Worryingly for both the durbar and the Jama Masjid Mirwaiz, the Muslim Conference's department of juristic rulings had soon established branches throughout the Valley.⁶⁷ Not only was the Mirwaiz's religious authority being undercut, but political power among Kashmiri Muslims was shifting as well. Illustrating this, while the Patthar Masjid had first been transferred in 1932 to an ally of the Mirwaiz, the merchant Saad-ud-din Shawl, the latter was soon forced to relinquish control of it to the Muslim Conference.⁶⁸

Proclaiming itself the party that had 'liberated' mosques from Dogra control, the Muslim Conference had found in the Patthar Masjid and other shrines powerful sites from which to make inroads into the religio-political arenas of the old Muslim elite. And it eagerly appropriated the archaeological enterprise for its capacity to yield a plentiful supply of sites to be reclaimed and politically exploited.

On 6 February 1932, Sheikh Abdullah, accompanied by a 'mob', entered the compound of the Governor of Kashmir's office. Not only did he proceed to read prayers at a spot within it, which he claimed marked the site of an ancient shrine, but declared his intention of doing so every Friday from then on. While there were no visible signs of any shrine, further investigation by the state authorities revealed that the tomb of a religious leader had indeed once stood there but that it had been destroyed in a fire in 1875 after which no Muslim had particularly bothered with it.⁶⁹ As officials correctly surmised, Abdullah's performance went beyond satisfying any religious zeal and extended to the deliberately 'seditious' challenge it offered to 'the prestige of the administration.'⁷⁰ In an audacious move, the Muslim Conference had launched a campaign to recover Muslim sites from the very grounds on which Dogra Hindu state power stood.⁷¹

Pushing further, whereas before 1932 Kashmiri Muslims had demanded the return of what were clearly mosques and tombs, in the period after, numbers of them sought to displace Hindu markings of territory more generally. They did so especially by asserting exclusive control over areas either contested with Hindus or where 'precedent' aided by Dogra support had given Hindus control. Thus, in 1934, a group of Muslims in Srinagar took a piece of land where for many years a Hindu ascetic had performed his religious rites, arguing that it 'belonged to some old mosque of theirs.'⁷² Similar stories began to fill the pages of Dogra official reports as, appropriating earlier Hindu tactics, Muslims mustered historical evidence to stake precedence for their right of 'ownership' not only of places of worship but also of the very land of Kashmir as essentially Muslim but overlain by illegitimate Hindu claims. Over the following decade this newly 'grounded' assertiveness extended into a wider struggle for the fulfilment of a spectrum of economic and political demands that culminated in the unravelling of Dogra sovereignty itself in 1947.

Conclusion

This chapter has followed the course of colonial archaeological practice as it travelled to the northern reaches of India – specifically into the Valley of Kashmir under Dogra princely rule – the landscapes it made and unmade, the political terrains that enabled it, and the new ones that were opened by it. In the process, it has questioned the unity and coherence both of colonial disciplines and of colonial power itself. Without minimizing the capacity of imperialism to transform Indian realities, this chapter has argued that the reins of power were neither solely nor always firmly in colonial grips. Different Indian actors had the capacity, in

varying degrees, to steer the best laid colonial projects into directions of their own charting. At the same time, it also seems clear that without such a capacity colonial disciplines would not have expanded their domain of influence as widely or as deeply in Indian society as they did.

As they appropriated archaeology, the prize the Dogra rulers, Kashmiri Pandits, and Muslims sought was control not over the discipline *per se*, but over its political ramifications. The Dogra-led princely state took to archaeology because carefully chosen aspects of it could fortify Hindu sovereignty. Conversely, Kashmiri Muslims turned to it because other equally selected aspects enabled them to challenge that sovereignty. This opens up the further question of the nature of colonial power and resistance to it. The several uses made of archaeology returned neither colonizer nor colonized as homogenous entities in simplistic opposition to each other. While the Dogras were valued partners of the imperial government, they were not quiescent consumers of colonial ideals. While the colonial state endorsed Dogra rule, it did not shy from correcting its archaeological excesses to demand protection for Muslim subjects and their sites. And while large numbers of Kashmiri Muslims turned counter-hegemonic in challenging Dogra rule, they were scarcely anti-colonial in their espousal of the British Indian archaeological project – especially for the political advantages it offered by 'enshrining' the formidable idea of rulers with duties and subjects with rights.

While colonial archaeology had provided a scale along which to gauge the state's performance as a just government in ways anticipated by the imperial progenitors of the project, Kashmiri Muslims had used this very same measure in unanticipated ways to strip the legitimacy of the Dogra princes to rule over them. No one would have been more surprised by this outcome than Lord Curzon. For a man reputed to have nursed grand ambitions, his aim to 'tear the mask off the face of the past' as the moving precept of archaeology appears rather modest in comparison with the far-reaching consequences it actually had.

Endnotes

- 1 This essay was first published in *The Indian Economic and Social History Review* 46 (3) (July-September 2009): 401–26.
- 2 The Congress was held from 4 to 11 December 1994.
- 3 In the context of the claim to the ownership of relics taken from the Sanchi Stupa, such custodial battles also embroiled the British Museum and the Victoria and Albert Museum in London, where the relics had been taken; the Begum of Bhopal in whose territory the *stupas* were located; and the Maha Bodhi Society representing a Pan-Buddhist revival.

- 4 When Hindu nationalists stake their claim to the Ayodhya site today, they do so on the basis of historical and archaeological evidence as much as by reference to the 'Hindu faith'. Whereas their versions of history and archaeological proof remain in serious contention by professional practitioners of these disciplines, what is remarkable is the centrality that archaeology has acquired in Indian political debate.
- 5 James Fergusson to the Under-Secretary of State for India in Council, 10 June 1868. NAI. HDP. 22 August 1868. Pros. 90–91, Part A; Curzon 1900.
- 6 NAI.FD. (Internal B), October 1908. Pros. 108–15. However, as Nayanjot Lahiri tells us, not all Indian rulers who participated in the archaeological enterprise were motivated by religious bigotry, nor did their own religion prevent them from preserving the shrines of the followers of other faiths. Thus, Nawab Sultan Jahan Begum, the ruler of Bhopal (r. 1901–26) was instrumental in protecting the Buddhist remains at Sanchi (Lahiri, 2004).
- 7 See also Note in the Foreign Department, 8 August 1908. NAI. FD (Internal B). October 1908. Pros. 108–15.
- 8 Lieutenant Henry Hardy Cole's Report on the Archaeological Survey of India for the Year 1869–70. NAI. HDP. 4 June 1870. Pros. 72–73.
- 9 The Ilbert Bill, mooted in 1883, had attempted to make Europeans in India fully subject in criminal matters to the jurisdiction of Indian judges. It had to be revised significantly following bitter Anglo-Indian protests.
- 10 Note by Lord Minto, 27 July 1907. NAI. FD (Internal B). October 1908. Pros. 108–15.
- 11 Note on Archaeological Work in Kashmir, n.d. JKA. OER. 1909. f. no. 293/E-8.
- 12 NAI. FD (Internal B). October 1908. Pros. 108–15.
- 13 Note in the Home Department, Archaeology and Epigraphy Branch, 22 September 1909. NAI. FD (Internal B). October 1909. Pros. 180–82.
- 14 Note by the Director General of Archaeology, 6 August 1908. NAI. FD (Internal B). October 1908. Pros. 108–15.
- 15 Note by Lord Minto, 1 October 1909. NAI. FD (Internal B). October 1909. Pros. 180–82.
- 16 Note in the Home Department, Archaeology and Epigraphy Branch, 22 September 1909. NAI. FD (Internal B). October 1909. Pros. 180–82.
- 17 Annual Report of the Archaeological Survey of India, Frontier Circle, for 1908–09. NAI. FD (Internal B). October 1909. Pros. 180–82.
- 18 Note by L. W. Reynolds in the Foreign Department, n.d. NAI, FD (Internal B). June 1910. Pros. 162–65.
- 19 Note by Judge, High Court, Jammu and Kashmir, 4 July 1919. JKA. OER. 1919. f. no. 206/IV-3.
- 20 NAI.FD (External B). May 1891. Pros. 62–64; NAI.FD (External B). March 1902. Pros. 113–23; NAI. FP (Internal B). January 1921. Pros. 128–29.
- 21 Memorandum by the Committee Appointed by His Highness the Maharaja Sahib Bahadur to Report on the Archaeological and Research Department, 2 August 1911. JKA. OER. 1909. f. no. 293/E-8.
- 22 NAI.FD (Internal B). June 1910. Pros. 162–65.
- 23 NAI. FD (Internal B). September 1910. Pros. 11–12; JKA.OER. 1909. f. no. 293/E-8.

- 24 Jean Phillippe Vogel, Officiating Director General of Archaeology in India, to Secretary to Government of India, Home Department, 27 July 1910. NAI. FD (Internal B). September 1910. Pros. 11–12; Memorandum by the Committee Appointed by His Highness the Maharaja Sahib Bahadur to Report on the Archaeological and Research Department, 2 August 1911. JKA. OER. 1909. f. no. 293/E-8.
- 25 Jammu and Kashmir was unique among the princely states in that no British Resident had been appointed until as late as 1885, after the death of Maharaja Ranbir Singh.
- 26 Georg Bühler, Educational Inspector, Northern Division, to the Director of Public Instruction, Bombay, 19 April 1875. NAI. HDP. May 1875. Pros. 203–05, Part A. A list of the tasks undertaken by the research department demonstrates it continued to focus on works associated with 'Hindu learning' well after Ranbir Singh's passing. In 1911, a 'prospectus of the publications' enumerated 'a full list of works in the press and in preparation' in Sanskrit and in Kashmiri.
It is notable that of the fifty works mentioned, not one acknowledged either Islamic classical learning or Muslims as producers of 'Kashmiri' literary or even folk traditions (Chatterji, 1911).
- 27 NAI. FD [Secret I]. May 1895. Pros. 65–115.
- 28 Note on Archaeological Work in Kashmir, n.d. JKA. OER. 1909. f. no. 293/E-8.
- 29 List of Ancient Monuments in Kashmir, n.d. NAI. FD (Internal B). May 1886. Pros. 335–37.
- 30 The Regulations of the Dharmarth Trust had merely stipulated that '*tiraths* ... attached to the mosques and shrines of the Mohammadans, should not be disturbed', with no further responsibility accruing to it (*Ain-i-Dharmarth*, 1884, 6).
- 31 JKA. OER. 1908. f. no. 117/G-34; JKA. OER. 1901. f. no. 82-B-38.
- 32 Therefore, the durbār not only permitted but lauded the Nawab of Dacca for funding repairs to the Hazratbal Mosque and Khwaja Naqshbandi's tomb in Srinagar. JKA. OER. 1886. f. no. 1.
- 33 *Koh-i-Nur* (Lahore), 13 November 1900, in VNP 640; *Punjabi Akhbar* (Lahore), 18 March 1881, in VNP 157. While the Punjabi Muslim press of the nineteenth century was not entirely free of criticism of the Dogra state's policy towards Muslim shrines, these were not only relatively isolated censures but also qualitatively different from the complaints emerging from the first decade of the twentieth century onwards.
- 34 Note on the Hatkeshwar Temple by the Superintendent, Archaeology, Research and Museum, 19 January 1940. JKA. PD. 1939. f. no. 146/G1-41.
- 35 Governor of Kashmir Province to the Senior and Foreign Member, Jammu and Kashmir State Council, 1 May 1923. JKA. GD. 1923. f. no. 697/Ar-7/A.
- 36 Vernacular Application Submitted by Mohammedans of Mohalla Mallah Khan, and so on, Through Rajab Kak Lambardar to the General Assistant of the Governor of Kashmir, 10 Baisakh 1980 (1923 AD). JKA. GD. 1923. f. no. 697/Ar-7/A.
- 37 The archaeological department was fully aware that, as late as 1940, Pandits continued visiting the Hatkeshwar Bhairo shrine, despite it being cordoned off. Note on the Hatkeshwar Temple by the Superintendent, Archaeology, Research and Museum, 19 January 1940. JKA. PD. 1939. f. no. 146/G1-41.

- 38 They also produced learned disquisitions on the etymological derivation of the word 'Hara' (as in the mosque) from the term 'Hataka' (as in the temple). JKA. GD. 1923. f. no. 697/Ar-7/A; JKA. PD. 1939. f. no. 146/G1-41.
- 39 From Sir Francis Younghusband, Resident in Kashmir, to Secretary, Government of India, Foreign Department, 15 July 1908. NAI. FD (Internal B). October 1908. Pros. 108-15.
- 40 For example in 1913, the durbar provided ₹20,000 for repairs to the Khir Bhawani shrine ostensibly in view of its 'historical and religious importance'. Chief Minister's Memorandum, 11 July 1913. JKA. OER. 1913. f. no. 31/M-275.
- 41 *Kashmiri Magazine* [Lahore], 14 August 1917, VNP 690; *Paisa Akhbar* [Lahore], 27 April 1910, VNP 382.
- 42 Governor of Kashmir to the Vice President of the State Council, 11 March 1901. JKA. OER. 1898. f. no. 52/L-II; Zutshi 1986, 195.
- 43 NAI. FP (Internal B). April 1915. Pros 295-305.
- 44 Report by W. H. Nicholls, Archaeological Surveyor, Northern Circle, September 1906, Also, Note in the Foreign Department, 8 September 1908. NAI. FD (Internal B). October 1908. Pros. 108-15.
- 45 Hussain 1916; Memorandum by the Home Minister on the Measures for Repairing the Jama Masjid (Srinagar), n.d. JKA. OER. 1911. f. no. 104/B-125.
- 46 Nath 1914, 98; Superintendent of Archaeology to Home Minister, Jammu and Kashmir, 7 July 1913. JKA. OER. 1913. f. no. 234/FC.
- 47 Memorandum by the Home Minister on the Measures for Repairing the Jama Masjid (Srinagar), n.d. JKA. OER. 1911. f. no. 104/B-125; Hussain 1916.
- 48 One of the many apocryphal explanations offered is that when asked how much the mosque had cost to build, Nur Jehan had pointed to her shoe, intending to indicate that the expense was equal to the value of the pearl embroidered on it but, unintentionally, signaling disrespect by that gesture.
- 49 Lt. Col. J. Manners-Smith, Resident in Kashmir to J. B. Wood, Political Secretary to the Government of India, Foreign and Political Department, 28 August 1916. NAI. FP (Internal B). September 1916. Pros. 192-96; Note by the Chief Minister, Jammu and Kashmir, 13 January 1911. JKA. OER. 1911. f. no. 55/E-3; C.M. Hadow to the Revenue Member of Council, Jammu and Kashmir, 22 October 1903. JKA. OER. 1903. f. no. 154.
- 50 Report by W. H. Nicholls, Archaeological Surveyor, Northern Circle, September 1906. NAI. FD (Internal B). October 1908. Pros. 108-15.
- 51 Orders of the Maharaja, 30 August 1911 and 13 February 1912. JKA. OER. 1911. f. no. 55/E-3.
- 52 Revenue Minister to Chief Minister, 13 February 1912. JKA. OER. 1911. f. no. 55/E-3. Emphasis added.
- 53 *Paisa Akhbar* [Lahore], 11 September 1912, VNP 764.
- 54 *Zamindar* [Lahore], 8 October 1912, VNP 850-51.
- 55 Order of the Maharaja, 25 June 1913. JKA. OER. 1911. f. no. 55/E-3.
- 56 Abstract Translation of Petition in Urdu from Haji Abdullah Shah, Gorgati Mahallah, Srinagar, to the Viceroy, 7 August 1916. NAI. FP (Internal B). September 1916, Pros. 192-96.

- 57 Petition from Hakim Maqbool Shah and Muslim community Kashmir, Srinagar, to the Resident, 3 August 1916. JKA. OER. 1911. f. no. 55/E-3.
- 58 Police Reports Forwarded by Home Minister, Jammu and Kashmir, 14 August 1916. JKA. OER. 1911. f. no. 55/E-3.
- 59 To the Patthar Masjid dispute was attached the demand for the restoration to the Muslims of numerous other historical sites (JKA. OER. 1915. f. no. 190/P-119; *Kashmiri Magazine* [Lahore], 7 September 1916, INP 750; Glancy 1932, 3).
- 60 *Kashmiri Magazine* [Lahore], 7 September 1916, INP, 750; *Vakil* [Amritsar], 16 August 1916, INP 691.
- 61 Order of the Maharaja, Pratap Singh, 10 October 1922. JKA. GD. 1923. f. no. 58/G-240. Emphasis added.
- 62 For a fuller discussion of the riots of 1931, see Rai (2004, 258–73).
- 63 Notification by the Prime Minister, Jammu and Kashmir, 29 October 1931. JKA. PD. 1933. f. no. 373/14-P.S.
- 64 Confidential from the Inspector General of Police, n.d. JKA. PD. 1933. f. no. 373/14-P.S.
- 65 Report by the District Magistrate, 8 November 1933. JKA. PD. 1933. f. no. 373/14-P.S.
- 66 Revenue Minister to Col. E.J.D. Colvin, Prime Minister, Jammu and Kashmir, 27 June 1933. JKA. PD. 1933. f. no. 373/14-P.S.
- 67 Translation of a Letter from Mirwaiz Mohammed Yusuf Shah to Prime Minister, Jammu and Kashmir, 14 June 1933. JKA. PD. 1933. f. no. 373/14-P.S.
- 68 Note by E.J.D. Colvin, Prime Minister, Jammu and Kashmir, 25 October 1933. JKA. PD. 1933. f. no. 373/14-P.S.
- 69 JKA. PD. 1932. f. no. 233/299-P.S.
- 70 Report by the District Magistrate, 7 February 1933. JKA. PD. 1932. f. no. 233/299-P.S.
- 71 As the police reported, this action had 'created a boldness among the people' and stirred up a movement for 'similar action being taken in regard to some other areas such as the Ram Nivas Palace'. Confidential from Assistant Superintendent to Senior Superintendent of Police, 14 February 1933. JKA. PD. 1932. f. no. 233/299-P.S.
- 72 Confidential Special Diary of the Superintendent of Police, Srinagar, 30 April 1934. JKA. PD. 1934. f. no. 184; Note by E.J.D. Colvin, Prime Minister, Jammu and Kashmir, 20 February 1934. JKA. PD. 1934. f. no. 102. P.S.-15.

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Contesting Urban Space

Shrine Culture and the Discourse on Kashmiri Muslim Identities and Protest in the Late Nineteenth and Early Twentieth Centuries¹

Chitralekha Zutshi

Introduction

Shrines – variously referred to as *khanqahs* or *ziarats*² – are strewn across the landscape of Kashmir. Large ones such as Khanqah-i-Mualla, in downtown Srinagar, draw thousands of devotees on a daily basis, while small ones such as Rozabal, tucked away in the Khanyaar locality, are visited by a few worshippers each day. There are many others, some makeshift, that emerged in particular contexts and now lie abandoned as the living saint who was honored there moved away or the people who revered him left the locality. Indeed, indigenous and other narratives describe Kashmir as a paradise on earth not simply because of its natural beauty, but also because of these concrete, visual remnants of the holy beings that crisscrossed its landscape in the distant and more recent past. The memory of the peregrinations of these saints is commemorated in the stories attached to each shrine, which circulate in Kashmir's textual and oral culture in multiple languages – Persian, Kashmiri, Urdu and now also English.

The prevalence of shrine culture in Kashmir has given rise to the idea that Kashmiris practice a unique, syncretistic form of Islam, deeply influenced by Sufism, which is mystical and hence apolitical. Sufism, as we now know from recent scholarship, was far from apolitical, even in the context in which it arose (Safi, 2000; Renard, 2008), and in the Kashmiri context, shrines of Sufi and other holy figures were more than merely spiritual retreats; they were instead powerful institutions that deeply influenced the course of politics, society and culture. This was in large part because as the recipients of large tracts of revenue free lands, sometimes entire villages, for the upkeep of these institutions, the custodians of shrines were wealthy and powerful landholders. It was in shrines that literature

and politics intersected, as partisan battles were/are defined, fought and then won or lost, and the narratives that shaped the discourse regarding these battles were composed. Shrines were thus repositories of a vast amount of information that was distilled into integrated historical and contemporary knowledge about the land, its products, pilgrimage centres, trade routes, medicine, military movements, political alliances, social norms and much else. These facts, rather than the popular notion that Kashmiris have practiced and continue to practice a different kind of 'Sufi' Islam, explains why shrines were and continue to be such an important part of Kashmir's social fabric even today.

Urban shrines, particularly those of the city of Srinagar, have played an especially important role in Kashmiri society and political culture as arbiters of Kashmiri Muslim community identities. The shrine of Khanqah-i-Mualla, commemorating the Kubrawiya saint, Sayyid'Ali Hamadani, for instance, has been tied, from its very inception, to the religio-political nexus of the establishment, continuation, and definition of Islam in Kashmir. Its *waqf-nama* (endowment deed) – dating from January 1399, and signed and sealed by Ali Muhammad Hamadani, the son of the Sayyid Muhammad Hamadani – is a testament to state support for Islam in Kashmir.³ The *waqf* was a symbol of political legitimacy for the Sultanate of Kashmir, since its creation sustained and then rendered the dynasty, in a way, immortal. In addition, the deed laid down the basis for the management of shrines in the Valley by appointing a *mutawalli* (custodian) to control the affairs of every shrine. This individual had access to revenues of villages attached to the shrine as well as alms received from visitors to the shrine and had to dispense of them according to the terms of the deed. Most significantly, the deed demanded the non-interference of the state in the shrine's management, thereby ensuring that the shrine and its dependents would remain untouched by the vagaries of political fortunes.

Throughout the course of the following centuries, as it became increasingly corporatized along with other major shrines, the Khanqah came to exercise a symbolic power over the city, its inhabitants and its sacred past, and as a result became the centre of political battles between rival Kashmiri noble groups and their Sufi supporters and detractors. Since the shrine was a means to assert both political and religious legitimacy, these groups attempted to gain control over its management, and through it, control over the Muslim community itself. Not surprisingly, thus, the competition over this and other shrines was almost always cast in terms of a battle between true Islam and infidelity. The contests over shrines became particularly intense as the Sultanate gradually declined over the course of the late fifteenth and early sixteenth centuries, and new Sufi sects, such

as the Nurbakhshiya, attempted to establish a foothold in Kashmir and draw new followers into their fold. As the throne of Kashmir changed hands several times between Sultans Muhammad Shah and Fath Shah in the period between 1484 and 1528 – with high-ranking nobles in actual control of the administration – the management of Hamadani's shrine changed hands multiple times between Sufi sects depending on which Kashmiri noble family was in charge of political affairs (see Zutshi, 2014, ch. 1).

It should come as no surprise, then, that Srinagar's shrines emerged yet again as the centres of political and religious controversy in the late nineteenth and early twentieth centuries. This was a period of sweeping changes in the political economy of Kashmir, as the Dogra state became a more bureaucratized and interventionist entity, a land settlement was carried out under the direction of colonial officials, the shawl trade declined, Kashmiri Muslims began to organize as a community, and the traditional landed and merchant elites began to lose control over wealth and power. Faced with impending economic and political obsolescence, particular social groups such as shawl merchants, many of whom also happened to be involved in shrine management, began to coalesce around the significant *khanqahs* of Srinagar to reassert their influence and regain access to the considerable wealth controlled by shrines.

The disputes that arose as a result illustrate the evolving relationships between Kashmiri urban social groups and the emergence of the Dogra state as one of the primary reference points for the articulation of Kashmiri Muslim identities. These battles, thus, were not simply about who had the right to preach at which shrine in the city, but rather about how Islam in Kashmir, and by extension the Kashmiri Muslim community, would be defined. Furthermore, they would determine the content and form of Kashmiri Muslim protest against the state in the coming decades.

The cast of characters

The controversy around preaching at shrines that erupted in late-nineteenth-century Srinagar involved several important Kashmiri Muslim families. The main characters were the two Mirwaizes (or chief preachers) of the city of Srinagar – Mirwaiz Hamadani, whose family had for generations controlled preaching and management privileges of the Khanqah-i-Mualla shrine and its surrounding areas, and the Mirwaiz Kashmir, whose family claimed preaching and custodianship rights over the main mosque, Jama Majid, and its surrounding localities. These two families had often clashed in the past, but their competition took on an entirely

new flavour in the context of late-nineteenth-century Kashmir, when religious elites were under fresh pressure to represent the interests of Kashmiri Muslims to the state, which required the drawing of the contours of the Kashmiri Muslim community. This was a difficult task for a number of reasons, not least because Kashmiri Muslims were deeply divided along lines of sect, class and ideology. Interestingly enough, the ideological component of the divisions among Kashmiri Muslims came to be framed precisely around the issue of whether or not shrine-worship was sacrilegious to Islam.

Another family involved in the disputes was that of the Ashais, a prominent shawl trading family under the leadership of Hajji Mukhtar Shah Ashai, a wealthy shawl trader who was particularly effected by the decline of the shawl trade in the 1870s. Hajji Mukhtar Shah claimed descent from the family of Sayyid'Ali Hamadani and the Ashai family had been involved with the management of his tomb at Khanqah-i-Mualla for several generations (Sadaat, 1997, 613). Mukhtar Shah himself had given several donations for the repair and refurbishment of the shrine over the years and was in charge of its rebuilding in the mid-1880s. Other shawl merchants were also involved in the administration of the Khanqah-i-Mualla shrine over the course of the period (Sadaat, 1936, 31).

The Naqshbandi and Shaal families, led by Khwaja Hassan Shah Naqshbandi (b.1854) and Khwaja Sanaullah Shaal (d.1893–94), also played a role in this saga. The Naqshbandis were a prominent family of Srinagar who had a *jagir* (land grant) worth ₹2,500, the original grant having been made by the Sikh ruler, Maharaja Ranjit Singh, a significant portion of which they had lost to the Dogra state under the new *jagir* settlement rules (General Department Records, 155/22-R/1925, 15). In addition, they were involved with the administration of several shrines in Srinagar, particularly the shrine of the Muslim saint Khwaja Naqshbandh Sahab, after whom the family took its name. Khwaja Hassan Shah Naqshbandi remained the custodian of the shrine, which had a revenue free land grant attached to it since the sixteenth century (Sufi, 1974, vol. 2, 349). The Shaals were also owners of lands, orchards and houses spread across the Valley of Kashmir. Khwaja Sanaullah Shaal was responsible for the repair of the Naqshbandi shrine and the Khanqah of Sultan-ul-Arifeen in Srinagar (Sadaat, 1997, 619).

As mentioned earlier, these social groups, including hereditary preachers, shawl traders and landed families, had come under considerable strain in late-nineteenth-century Kashmir. The increasing centralization of the Dogra state and its intervention in the religious affairs of its subjects required a fresh assertion by the religious elites over their rights to preach at the sacred spaces of the city. The

right to preach at a shrine not only gave the preacher access to the inhabitants of that particular locality who frequented the shrine – and would thus turn to him for legal and other guidance – but just as significantly, it gave him access to the considerable financial resources of the shrine, such as alms, administrative funds and trade earnings in its vicinity. The sharp decline of the shawl trade in the 1870s had dealt a particularly severe blow to shawl traders, many of whom also turned to the same city shrines and their extended systems of religious patronage to gain access to their economic resources and reassert their own influence. Similarly, landed families were gradually becoming a thing of the past as a new non-Kashmiri landed class tied to the Dogra administration rose in their stead. Members of the traditional trading and landed elite, to make matters worse for them, could not seek recourse in government service, since they lacked the educational qualifications required for such an endeavor. Shrines provided a means for all three groups to regain a measure of control over their increasingly fragile socio-economic position.

Defining Islam

The dispute appears to have begun when the Mirwaiz Kashmir began preaching at shrines in localities that were considered the sphere of influence of Mirwaiz Hamadani. In 1888, Hajji Mukhtar Shah Ashai led a deputation of Sayyids, Pirzadas and traders of the Muslim community to the Maharaja's palace with a petition on behalf of the administration of the Khanqah-i-Mualla to pass a law that would prevent the Mirwaiz Kashmir from preaching at shrines, which were by custom relegated to the authority of Mirwaiz Hamadani. The Governor of Kashmir informed Mukhtar Shah that the authorities, dedicated to religious neutrality, could not interfere in the internal religious affairs of a community. He further emphasized the importance of maintaining harmony within the community. However, he stated that since it was the responsibility of the government to see to the maintenance of law and order, His Highness had passed an order allowing preaching in localities by one or the other Mirwaiz provided it had the consent of all the resident Muslims of that locality. The order banned the Mirwaiz Kashmir from preaching at shrines in those localities where more than 100 resident Muslims were against his preaching (Vernacular Records, 161/S.1947 [1890]). In effect, thus, the Mirwaiz Kashmir was legally forbidden from preaching at Khanqah-i-Mualla.

The Mirwaiz Kashmir's supporters, principal among them Shaal and Naqshbandi, reacted immediately by sending their own volley of petitions to the Maharaja with a view to curbing Mukhtar Shah's activities. These petitions

claimed that Mukhtar Shah was inciting people against the Mirwaiz Kashmir's preaching so that he could retain his influence at Khanqah-i-Mualla. One petition stated that the Mirwaiz's preaching should not be banned since he was primarily responsible for teaching Kashmiris the revelations of the *Quran* and the words of the Prophet Mohammad, in the absence of which Kashmiri Muslims would be unaware of the meaning of Islam. But some individuals, they continued, who were bent on creating discord, 'want Yahya Shah [Mirwaiz] to stop preaching and the people to forget their religion' (Vernacular Records, 161/S.1947 [1890], 2). In the meantime, the Mirwaiz Kashmir continued to preach at shrines from where he had been expressly forbidden by the government, thus incurring ₹200 in fines (Vernacular Records, 161/S.1947 [1890], 4). Disputes between followers of the two sides, at times manifested as riots, broke out sporadically throughout the last decade of the nineteenth century.

A consideration of the vocabulary of the dispute suggests that the competition for economic and political control among Kashmiri Muslim elites was being cast in terms of the very definition of Kashmiri Islam. As a result, by framing the dispute in terms of religious ideology, the contenders were attempting to define and appropriate the Kashmiri Muslim collectivity itself. The petitions of the two sides to the government poured vitriol at each other for representing a defiled version of Islam. The Mirwaiz Kashmir was labeled a Wahabbi,⁴ referring to one who is against saint-worship, while he accused his opponents of being *mushriks*, or sacrilegious saint-worshippers. A petition against the Mirwaiz Kashmir from the *khadims* (administrators) of the Khanqah-i-Mualla shrine stated quite clearly that he went about preaching Wahabbi doctrines under the guise of being Hanafi.⁵ They continued, 'The shrines of the city, belonging to our ancestors, are for the prayers and preaching of the Hanafi sect, not for preaching that goes against religion itself' (Vernacular Records, 161/S.1947 [1890], 4). Thus, they pleaded with the government to allow various sects to conduct their prayers and preaching at different times at the six shrines of the city. In yet another petition, the *pirs* and administrators of the Srinagar shrines directly blamed the Mirwaiz for attacking their religion through the preaching of Wahabbi doctrines that he had imported from Hindustan. His followers, in reply, labeled the managers of the shrines, their custodians, and followers, *mushriks*, or those who have committed *shirk* by assigning partners to Allah, and thus gone against the most important tenet of Islam – *tawhid* – or the unity of God.

The name-calling by the two sides illuminates several significant details about the internal contestations over identity and authority being conducted among

Kashmiri Muslims at the time. By calling the administrators of the Khanqah-i-Mualla shrine *mushriks*, the Mirwaiz Kashmir and his followers were questioning their very authority to be religious leaders, since the label implied that they were committing sacrilege against Islam. At the same time, they were claiming that authority for themselves, not only over preaching but also over the definition of Islam, and consequently, the leadership of the Kashmiri Muslim community. Similarly, the other side was attacking the very basis of the Mirwaiz's authority by calling him a Wahabbi, a term implying an attitude against saint-worship and shrines, which were central to the practice of Islam in Kashmir. Furthermore, the term also implied an anti-Dogra and anti-British attitude, which could, in that period, result in serious consequences for the individuals involved. Maharaja Ranbir Singh had actively repressed any signs of the 'Wahabbi' movement in the Kashmir Valley and Maharaja Pratap Singh was determined to do the same (Lawrence, 1996, 285). Aware of the damning nature of such an accusation as well as the danger to their livelihood if Wahabbi ideas did gain a foothold in the Valley, the custodians of shrines saw it in their interest to label the Mirwaiz Kashmir a defiler of the tombs of saints.

As a result, the consequences of the dispute were severe for the Mirwaiz Kashmir, since the government was more willing to countenance shrine-worshippers than Wahabbis. The Governor of Kashmir passed an order in 1888 banning him from preaching at 22 shrines in Srinagar and its surrounding areas (Vernacular Records, 161/S.1947 [1890], 5). This order conveniently helped the Maharaja present himself as the protector of 'Kashmiri' rituals of the people against the onslaught of outside ideas. In the meantime, the Mirwaiz had to face the chastisement of several highly respected religious elders of the community for being avaricious and power-hungry.

One such individual, Sheikh Ahmad Tarabali, wrote a letter to the Mirwaiz requesting him to stop his drive for establishing control over preaching in the city. He noted that it was advisable to limit preaching to one's own locality and its surrounding areas so that the possibility of religious schism was reduced. Tarabali's recurrent references to the Mirwaiz's greed illustrates the serious nature of the latter's bid to establish control over preaching in areas that had traditionally been outside his sphere of influence. Moreover, Tarabali took this opportunity to present his own view on the raging debate on the nature and practice of Islam in a lengthy exposition on the necessity and benefits of visiting shrines and worshipping saints. He wrote, 'Our ancestors who are enshrined in these shrines have dedicated their lives to the maintenance of the *sunnat* [tradition of the prophet] and *shariat*

[Islamic law] and should not be labeled un-Islamic, nor should fingers be raised against them calling them *biddat* [innovations].⁶

The petitions that went back and forth from the two sides to the government and the government reports on the issue bring forth two general perspectives on the nature of the shrine disputes in the late nineteenth century. The *pirs* and administrators of shrines presented the disputes as an issue of religious ideology, and demanded that the Maharaja's ruling on the issue take into account the religious sensibilities of the people, which were being threatened by individuals such as the Mirwaiz. However, this side also recognized the role played by what they termed as 'money' in the disputes, intimating that the preachers and their supporters were involved in the disputes for financial gain (Vernacular Records, 161/S.1947 [1890], 4). The police report, on the other hand, dismissed the disputes as related in any way to religion, instead defining them as domestic wars between two families over social influence:

The real matter is that Khwaja Sanaullah and Hajji Mukhtar Shah have started a dispute amongst themselves and now the preachers have chosen sides in the dispute ... The people are illiterate and do not understand the preaching of either of the two Mirwaizes, and label each other Wahabbi and mushrik as a result (Vernacular Records, 161/S.1947 [1890], 4).

By denying the role of religious ideology in the dispute, the state was stating its own position vis-à-vis what it termed sectarian conflicts: at best ostensible neutrality and at worst dismissal. And yet, the shrine disputes were expressed partly in the context of the evolving nature of the Dogra state itself, which despite its avowed religious neutrality, drew on symbols of the Hindu faith to assert its legitimacy to rule over its newly acquired territory. In practice, this meant that the Dogra state gave differential patronage to Hindu and Muslim sacred spaces, as Hindu shrines and temples came under the special protection of the state.⁷ As the state withdrew from its role in protecting and ensuring the maintenance of Muslim shrines, the onus for this endeavor fell on Muslim elites. The tussles over rights to preaching and the definitions of Islam were, therefore, an integral aspect of the drive to redefine cultural values in the face of perceived threats to the continued existence and maintenance of sacred spaces. This entailed drawing the contours of a Kashmiri community, defined primarily by religious identification, while also locating within it a leadership that was capable of negotiating with the state on its behalf.

Contesting urban space and articulating protest

The Mirwaiz Kashmir's son took over the mantle of Mirwaiz Kashmir after his father's death in 1891. He claimed the leadership of the Kashmiri Muslim community through his efforts on the educational front, presenting education as a means for the unification of Kashmiri Muslims under a particular definition of Islam (Ibrahim, 1986, 26–32). The ideological basis of the divisions among Kashmiri Muslims continued to be salient, as the syllabus of the school founded by him, the Madrasa Anjuman Nusrat-ul-Islam, clearly stood against 'innovations' such as saint worship and preached the doctrine of *tawhid*. Even as the contests over preaching continued to rise dramatically, the Dogra state began to step in to resolve these disputes, while at the same time giving recognition to a distinct Kashmiri Muslim community in state policies.

Additionally, the Mirwaiz's attempts at pressuring the state to return several Muslim places of worship, which had been in use by the government for official purposes, back to the Muslim community, further involved the state in the process of the articulation of a unified Kashmiri Muslim identity. These demands, which began in 1900, are a clear indication of an emergent Kashmiri Muslim leadership willing to mediate between the state and the community. The Mirwaiz's petitions to the Maharaja began at the turn of the twentieth century, with the demand for the return to the Muslim community of the Patthar Masjid, which had been used as a granary for the storage of *shali* (unhusked rice) (Vernacular Records, 1957/40). The petitions continued through to the next decade, becoming more vociferous in the second decade of the twentieth century. Significantly, these demands were couched in the knowledge that the British Residency would support the claims of the Muslim community for return of its places of worship, if not to the community, then to the archeological department of the state.⁸

The Mirwaiz's demands on behalf of Kashmiri Muslims, however, did not necessarily imply the existence of a unified or coherent Muslim community. Indeed, the petitions demanding that the state recognize the existence of a Kashmiri Muslim community appeared simultaneously with the intensification of disputes over preaching and definitions of Islam in Srinagar. Even as the Mirwaiz faced opposition from the administrators of the city's shrines, he asserted his authority by sending yet another petition to the Maharaja for the return of a mosque or place of worship to the Muslim community, of which he was now self-proclaimed leader and representative. As the fact of the return of their sacred spaces to the community became a possibility, the question of community leadership and spheres of influence in the city became ever more salient.

Coeval with the foundation of the Anjuman Nusrat-ul-Islam and the Mirwaiz's first petition to return Patthar Masjid to the Muslim community, a dispute broke out between his followers and the administrators of the shrines of Khanqah-i-Mualla and Makhdum Sahib. The dispute was framed, significantly, in terms akin to the earlier shrine disputes – the right to preach an unadulterated form of Islam – to which both sides claimed authority. While the Mirwaiz preached that Mohammar Habshi was not a companion of the Prophet, the Khanqahi group asserted that he was indeed one of the Prophet's companions (Sadaat, 1997, 626). When the Mirwaiz preached at the shrine of Makhdum Sahib against the wishes of its custodian, the latter took a petition to the Maharaja to prevent the Mirwaiz from preaching at his shrine. At the same time, the Mirwaiz sent his petition to the Maharaja asking the state to guarantee the Mirwaiz family tradition of preaching at Makhdum Sahib. When the state did allow him to continue preaching at this shrine, the outcry from the other side became so vociferous that the Maharaja had to rescind his previous order (Vernacular Records, 1959/65). Once again, while this dispute was framed in theological terms, the issue at stake was the leadership of the community, since the two sides now claimed not only to represent a normative religious ideal, but also a political community.

Apart from the leadership, the social groups involved in these disputes clearly saw their involvement in terms of increasing their social and political influence within the city. It is hardly accidental that the shrine disputes and grain shortages were coeval, since both reflect the rising fortunes of commercial groups, including grain dealers and ascetic traders such as the *pirs*, both eager to match their economic influence with social recognition through association with Kashmiri Muslim sacred spaces. At the same time, the competition between these groups might have been partly responsible for the ideological vocabulary of the disputes. The Mirwaiz Kashmir, with his stance against shrine-worship, attracted the support of the grain dealers and other petite bourgeoisie groups in localities such as Chinkral Mohalla, Jama Masjid and Zaina Kadal.⁹ The main supporters of the Mirwaiz Hamadani, who preached in favour of shrine-worship, were not surprisingly the *pirs* and custodians of shrines who would be rendered obsolete in the absence of shrine-worship. The followers of the two sides supported one and as vociferously opposed the other form of Islam, with a view to enhancing their own influence at the expense of other groups.

The state, threatened with a breakdown of law and order, took immediate action to quell the disputes, which erupted into physical clashes in 1910. Instead, it succeeded in drawing the lines of discord even more sharply, since they now had

behind them the force of law. The Governor of Kashmir passed an order in July 1910 that laid out the jurisdiction of the two preachers within the city of Srinagar. The order stated that every mosque and shrine in the city should be registered as the preaching place of one or the other Mirwaiz through conferral with the custodians, who would decide which Mirwaiz had the hereditary right to preach at their shrine. Furthermore, the order instituted a procedure whereby the custodian had to inform the authorities of his intention to invite a preacher to preach at his shrine fifteen days in advance of the event. Although the Governor had declared that 'these restrictions are not intended to be permanent and will be withdrawn as soon as conditions cool down' (Political Department Records, 176/P/91/1910), the order only led to increased discord among Kashmiri Muslims. After all, the jurisdiction of the two Mirwaizes was to be legalized by the order of the state and the custodians were to be authorities on the issue. The time was thus ripe to confirm one's position within the shrine management through the declaration of allegiance to a particular Mirwaiz.

The reconstitution of the urban space of Srinagar, partly responsible for and partly a consequence of the involvement of social groups and the state in the shrine disputes, was a key part of the articulation of a communitarian identity. The Governor's order divided the Muslims of Srinagar based on locality. Whereas earlier it had been possible for both Mirwaizes to preach at a mosque in a particular locality, henceforth, the residents of a locality had to choose which Mirwaiz would preach at their local mosque. For instance, when consulted, the residents of Shahidganj locality, in consultation with the custodian of the Shahidganj Mosque, informed the authorities that although both Mirwaizes had preached at their mosque, in accordance with the order, they had chosen the Mirwaiz Kashmir as the sole official preacher at their mosque (Vernacular Records, 1968/7). Most Srinagar localities participated in the literal division of the city into spheres of influence based on the location of sacred spaces on its landscape.

As a result, the implementation of the order turned out to be more complicated than had been anticipated by the authorities. The decision of a custodian to invite a particular Mirwaiz to preach at his shrine frequently met with opposition from some quarter of the locality in which the shrine was located. The resultant dispute usually found its way into the court system, and the lines of dissension between administrators of the shrine and followers of the Mirwaizes grew increasingly sharper. For instance, in 1911, Siddique Bhatt, the custodian of Drogjun Mosque, applied to the *tehsildar* to allow the Mirwaiz Kashmir to preach at the said mosque. Some residents of Drogjan locality immediately reported to the *tehsildar*'s office

pleading that the Mirwaiz should not be allowed to preach there since his preaching created a breach of peace. Both Mirwaizes fired off petitions to the Governor's office demanding that they should be allowed to preach at the mosque because the residents of the locality were in their favour.

Upon conducting an inquiry into the matter, the Governor's office discovered that Siddique Bhatt was not, in fact, the custodian of the mosque, but only a minor figure in the administration who had invited the Mirwaiz to the mosque to malign the actual custodian. The Governor's office further discovered that twelve men of the locality were in favour of the Mirwaiz Kashmir and fifteen were in favour of the Hamadani Mirwaiz. The Governor ordered that since the application to allow the Mirwaiz Kashmir to preach came from an individual who was not the custodian, it could not be allowed. However, if the real custodian applied for it, the government could consider such an invitation (Vernacular Records, 1269/1968). Through its decision, the state did not succeed in resolving the issue; instead, it created discord within the administration of the Drogjan mosque, among the residents of the Drogjan locality, and recognized, once again, the dispute between the two Mirwaizes.

Seemingly unaware of its role in exacerbating dissension, the state carried on its discourse of neutrality while at the same time defining the dispute in sectarian terms. In his speech to the Mirwaizes, custodians and notables of Srinagar, the Maharaja reiterated:

It has always been one of the first principles of my rule that the fullest liberty should be enjoyed by my subjects in religious matters, but the religious toleration on the part of the ruler can be beneficial to his subjects only if they are able to perform their religious rites and observances in a peaceful and orderly manner ... Is it not a matter of great regret that religious discord from some time past has produced most unhappy differences between the two sects of the Mohammadans of Kashmir? (Political Department Records, 144/P/91/1910).

Significantly, in the same speech, the Maharaja also declared the appointment of a Muslim Governor for the province of Kashmir, 'in order that the interests of the Mohammadans of that province may be fully looked after.' Then, he warned that if the Muslims of Kashmir were going to waste their energy in discord, no efforts the state made on their behalf would be successful.

The state was granting political recognition to the specific needs of the Muslims of Kashmir as a community. At the same time, however, it was giving legal sanction

to the divisions within the community. Not only were these divisions now 'sectarian' and hence irreconcilable, but Kashmiri Muslims had to strictly adhere to the decisions of the state in the resolution of the disputes. The Maharaja passed an order soon after the above speech in which he issued a warning that any individual found in contravention of state orders on preaching disputes would be 'proceeded against according to law and shall moreover be deprived of all favours and privileges enjoyed by him on our behalf' (Political Department Records, 144/P/91/1910).

Legalizing community identity

The legal aspect of state intervention and its impact on the articulation of communitarian identities by Kashmiri Muslims is worth considering in some detail. As the Dogra state's development of a centrally-regulated court system proceeded, the shrine disputes became increasingly entangled in the legal vocabulary of the state. Muslims turned to state institutions such as law courts for a settlement of their disputes,¹⁰ thus unhinging themselves from community institutions, and at the same time creating a new reference point for community identities: the self-contradictory Dogra legal system. Borrowing heavily from their colonial masters, the Dogras imported the contradictions inherent within the system of colonial law in British India, particularly the Punjab. This was especially evident in the realm of custom which, by the late nineteenth century, British administrators had begun to focus on as a source of law (Anderson, 1993, 176).

Drawing on colonial policies in the Punjab, where revenue collectors had been directed to ascertain the customary practices in each village, in 1915, Maharaja Pratap Singh appointed Pandit Sant Ram Dogra, Assistant Settlement Officer, Kashmir, to prepare a consolidated code of tribal custom prevalent in the Kashmir Valley.¹¹ Dogra toured the Valley exhaustively and compiled his inquiries into the *Code of Tribal Custom in Kashmir* (1930), which for all intents and purposes elevated the custom(s) prevalent in different localities, districts, tribes and villages of the Valley to the level of law (Ahangar, 1986, 5). The codification of custom was part of the movement by the state to amend, consolidate and declare the laws to be administered in the state of Jammu and Kashmir, and it found fruition in the Sri Pratap Jammu and Kashmir Laws Consolidation Act, 1977B (1920 CE). Based on Dogra's Code, the Sri Pratap Act, while granting primacy to Hindu and Muslim personal law, recognized customary law in cases where it had altered or replaced personal law. Thus, in questions regarding succession, inheritance, family relations, religious endowments, caste or religious usages and so on, the rule of decision was to be as follows:

The Mohammadan law where the parties are Mohammadan and the Hindu law in cases where the parties are Hindus, except in so far as such law has been by this or any other enactment, altered or abolished or has been modified by any custom applicable to the parties concerned which is not contrary to justice, equity or good conscience and has not been by this or any other enactment declared to be void by any competent authority (*Laws of Jammu and Kashmir* 1972, Vol. I, 223–26; Hussain, 1987, 13).

Whether this Act intended to give primacy to one or other type of law is debatable. However, the result of the consolidation of laws and the concomitant codification of custom in Kashmir was similar to that in the Punjab: Dogra's *Code of Tribal Custom* came to be recognized as the law in state courts, particularly since there was no parallel body of Muslim law that litigants could draw on. This is clear from the observation of the full bench in a high court case that, 'In the Valley this book was recognized as laying down the law on the subject incorporated therein and nobody questioned its authority' (Ahangar, 1986, 51). Until Sant Ram Dogra wrote the *Code of Tribal Custom in Kashmir*, there was no such thing as general custom in the Valley. The people of the Valley were governed by custom not in the shape of a uniform code, which could be universally applicable, but on heterogeneous rules based on local custom, family custom, tribal custom, district custom and village custom, which at times functioned simultaneously and at others to the exclusion of one or the other (Ahangar, 1986, 37). For instance, in the realm of custom, it was possible at the same time to be both the member of an agricultural clan and the resident of a locality, and at other times, one could claim an identity based solely on one's locality to the exclusion of one's clan identity.

The codification of custom into law meant that the ambiguities and inconsistencies that had governed the lives of Kashmiris and their legal decisions in a whole host of disputes, had been replaced by what purported to be the exact science of customary law. Since Hindu and Muslim personal law could be negated if a litigant proved the existence of a custom, the laws of religious communities often ceased to have a considerable impact on legal decisions meted out in state courts.¹² As a result, the divisions within the Muslim community came into sharper focus, since customary law cut across religious boundaries, being dictated by tribe, locality, district, and so on. And yet, the *Code* did not entirely obscure the importance of one's religious identity, since almost all customary laws included the primary religious identification as one of their salient features, particularly when it came to issues of shrine management.

For instance, the *Code* recorded the customary law as it related to custodians of shrines in the case of Sunni Muslims of Srinagar as, 'If a Mutawalli embezzles the property of the *ziarat*, the *Qazi-ul-Waqt* [judge of the time] is authorized to dismiss the Mutawalli. In default of the *Qazi-ul-Waqt*, the majority of the respectable Muhammadans can dismiss him' (Dogra, 1930, 247). The consequences of this code are self-evident. Since an unwritten custom had now been recorded, it could be used in a court of law to bring charges against a particular shrine manager and depose him in favour of a more amenable caretaker. At a time when shrines had become the terrain for battles over influence and power, such a code only served to add fuel to the already blazing fire. The state went a step further and ensured that these battles would, in fact, be brought forward before law courts, through the passage of a law that enabled:

persons interested in religious endowments [to] sue before the Civil Court the trustee, manager, or superintendent of such mosque, temple, or religious endowment, for any misfeasance, breach of trust or neglect of duty, committed by such trustee, manager, or superintendent (*Laws of Jammu and Kashmir*, 1972, Vol. II, 526).¹³

As far as religious law was concerned, while the Sri Pratap Act allowed for its exercise in state courts in certain civil matters, the Dogra state did not make a concomitant attempt to compile Islamic law, as the British had attempted to do in India.¹⁴ The onus for this responsibility was left entirely on the Kashmiri Muslim leadership. For the leadership, there was but one way out of what must have seemed like a conundrum: focus on the production of a corpus of Muslim personal law that could be used to override custom, as provided for by the Sri Pratap Consolidation Act. However, this raised its own set of issues. First, it took for granted the existence of a unified Kashmiri Muslim community that would be willing to adhere to personal laws over custom – now easily accessible due to its codification – that had governed them for centuries. In a related matter, the impending compilation of Muslim law brought out sectarian divisions among Kashmiri Muslims. After all, if a corpus of Muslim law was to be written practically for the first time, whose law would it be: Sunni or Shia, Hanafi or Ahl-i-Hadith, to name but a few divisions? These sectarian differences gradually aligned themselves along lines of division already existent in the community.

Conclusion

As the twentieth century progressed, and a more vociferous and organized movement to demand the rights of Kashmiri Muslims from the state emerged,

the divisions within the movement and the community were articulated yet again in terms of the issue of shrine-worship. Early on during the movement, the new leadership attempted to bring together the riven community by emphasizing the importance of unity in the face of the repressive Dogra state, and for a moment in the early 1930s, it seemed as though the divisions within the community would indeed be set aside to make Kashmiri Muslim protest more effective. However, as the movement gathered force and the new leadership began to assert its control over the community by making speeches at all the major city shrines, including Khanqah-i-Mualla and Jama Masjid, the old schisms reemerged along familiar lines of division.

The family of the Mirwaiz Kashmir was disinclined to allow new leaders such as Sheikh Mohammad Abdullah, who were growing in popularity, to encroach on its sphere of influence – particularly the Jama Masjid and its surrounding areas – and through that claim the leadership of the Kashmiri Muslim community. Sheikh Abdullah in turn asserted his leadership over the community by systematically taking control of the city's shrines, sometimes by physical force, as his supporters clashed with those of the Mirwaiz Kashmir during speeches at sacred spaces such as Jama Masjid and Hazratbal. The accusations and counter-accusations that accompanied these clashes, which had already begun by 1932, were strikingly reminiscent of those from the late nineteenth century, as they too revolved around the definition of Islam espoused by the two sides. While presenting himself as a true Muslim, the Mirwaiz Kashmir cast the other side as idolatrous shrine-worshippers. This had the unintended consequence of increasing Abdullah's popularity, as shrine administrators and custodians of most of the city's shrines, including Khanqah-i-Mualla, came over to his side, bringing their substantial followings with them. At the same time, Abdullah's group had a much more effective charge against the Mirwaiz and his family; they were no longer labeled as Wahabbis, but something much worse – loyalists of the Maharaja and the Dogra state.

By the mid-1930s, Kashmiri Muslim protest had become much more focused on demanding the economic and political rights of the community from the Dogra state. Representing Kashmiri Muslim interests to the state, however, served to heighten the simultaneous disputes, now not as much about the definition of Islam, as about whether Islam should be the primary reference point for the movement at all. This was increasingly necessary, since the movement now included not just Muslims from other regions of the state, but could conceivably also include non-Muslim Kashmiris, the inclusion of whom had the potential to render the movement far more effective. Alongside fiery protests against the Dogra state,

these often deeply divisive debates about the definition of Kashmiri nationalism – and the role of Islam within it – raged from the pulpits of the numerous shrines of Srinagar, other cities, as well as the countryside throughout the latter half of the 1930s. By the early 1940s, these debates had permanently fractured the Kashmiri movement and would have far-reaching repercussions on its nature and trajectory into the 1940s and beyond.

Endnotes

- 1 An earlier version of this essay was published in Aparna Rao (ed). *The Valley of Kashmir: The Making and Unmaking of a Composite Culture?* (Delhi: Manohar, 2008, 235–57). For a longer discussion of the issues discussed in this essay, see Zutshi (2011 [2003]).
- 2 *Khanqah* connotes a mosque, devotional retreat, or the residence of a saint. A *ziarat* is a devotional retreat, grave, or tomb of a saint.
- 3 Before the arrival of Sayyid'Ali Hamadani, a sufi mystic from Hamdaan in Persia, to Kashmir in 1379, Islam had not made much appreciable progress in Kashmir, particularly since the state did not encourage the conversion of its subjects. Sayyid'Ali Hamadani, escaping Timurid persecution in Persia, was granted asylum by Qutb-ud-din (1374–89), the reigning Sultan of Kashmir. Hamadani and his band of disciples took it upon themselves to teach the Sultan the laws of the *sharia* and convert the population of Kashmir to Islam. Sultan Qutb-ud-Din embraced the principles of Islam into his own life and also that of his government, the outward trappings of which now became Islamic. In keeping with the influence exercised by Hamadani in his life and rule, the Sultan laid the foundation for the shrine at Khanqah-i-Mualla, alongside endowing land for the maintenance of its edifice and assembly of men and animals. Qutb-ud-din's son and successor, Sultan Sikandar Shah, who came to power without his sanction and amidst the opposition of his mother, clearly assumed the reins of government through the support of the Sayyids who had escaped from Timurid Persia and considered Sayyid Muhammad Hamadani, Sayyid'Ali Hamadani's son, as their spiritual head. As a result, Sultan Sikandar Shah endowed several villages for the upkeep of the Khanqah-i-Mualla, and it was during his rule that the present edifice of the Khanqah-i-Mualla was constructed and its endowment deed recorded (Parmu, 1969, 104–18).
- 4 The term Wahabbi comes from the movement launched by Abdul Wahab, an eighteenth-century Arab reformer who was against the worship of saints and visitation to shrines. In British India, most Muslims who were regarded as potential threats to colonial rule were labeled Wahabbis, a term that implied fanaticism. In particular, the term was used to describe the movement organized by the followers of Shah Waliullah, Shah Abdul Aziz (1746–1824), and Sayyid Ahmad of Rai Bareilly, who sought to reform Indian Islam. In the Kashmir Valley, the significance of Wahabbism lies in what the term 'Wahabbi' implies, namely a person against saint-worship, and hence shrines, as well as a potential threat to the state.
- 5 Hanafi is the school of Islamic jurisprudence that follows the legalist interpretations of Imam Abu Hanifa (699–766). Sayyid Abdur Rahman, who is said to have introduced Islam to Kashmir, belonged to the Hanafi order, and Sayyid'Ali Hamadani, although himself a Hanabali, urged the continuance of the Hanafi School of law in Kashmir. Most

Kashmiri Sunni Muslims are, therefore, of the Hanafi persuasion (See Sufi, 1974, vol. 2, 611–18). Although the schism between ‘Hanafi’ and ‘Wahabbi’ appeared first in the 1880s, membership to the Hanafi school would become the primary form of identification for Kashmiri Sunnis in the first three decades of the twentieth century, when the ideas of the Ahl-i-Hadith influenced the tone of the disputes within the community. Besides these theological differences, it is important to note that Kashmiri Muslims were also divided into various castes, such as Shaikhs, Saiyids, Mughals, Pathans, Gujjars, Bakarwals, Doms and Watalis, not to mention the main sectarian division between Shias and Sunnis.

- 6 Sheikh Ahmad Tarabali, ‘Tarabali’s Letter to Yahya Shah’, Unpublished Manuscript in Persian (Private Collection of Mufti Maqbool Ahmed, Srinagar, Kashmir).
- 7 Hindu religious spaces in the state were brought under the administration of a special department, the Dharmarth, established by the Dogra state in the late nineteenth century specifically for this purpose.
- 8 See Vernacular Records, 1957/40; Vernacular Records, 1959/41; Political Department Records, 55/E/3/1911; and Political Department Records, 104/B/125/1911 (Jammu State Archives). See also chapter one of this volume for a detailed discussion of archeology as a site for Kashmiri Muslim protest.
- 9 This is evident from the large numbers of petty traders that gave monetary support to the Mirwaiz’s educational institution, the Madrasa Anjuman Nusrat-ul-Islam (see *Halat wa Rouidad*, 1912, 63–81).
- 10 From the records of this period, which include countless petitions and incidences of legal wrangles, it appears as though the judicial system of the state had been created for the express purpose of settling preaching disputes among Kashmiri Muslims. As the Kashmiri poet Ali Shah Khoiyami noted in his *masnavi*: ‘Those who fight are subjected to criminal trial/The Police swear by their scared books and yet give false evidence/ Everyone is determined to create chaos/People now believe in trials’ (See Khoiyami, *Akhir Zaman*, 5).
- 11 It is important to note that in part the motivation behind the codification of custom in the Punjab, and probably Kashmir as well, was the need for an assessment of landholding rights, since the agricultural classes followed customary law in matters of inheritance and division of landholdings (see Anderson, 1993, 176; Hussain 1989, 119).
- 12 The codification of custom had a similar impact in the Punjab (see Jalal, 2000, 146).
- 13 The law was entitled ‘The Religious Endowments Act of 1977’ [1920 CE].
- 14 Anderson and Jalal give detailed analyses of colonial endeavours towards producing a unified Muslim and Hindu law, the only two categories under which all indigenous legal arrangements were subsumed, and the resultant simplification of both the *sharia* and the *shastras* (see Anderson, 1993, 172–76; Jalal, 2000, 148–53).

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The Rise and Fall of New Kashmir

Andrew Whitehead

Introduction

On 27 October 1947, when the first Indian troops landed at the very basic airfield on the outskirts of Srinagar, they came to the Kashmir Valley with the keen support of the leading Kashmiri political figure of that era. Sheikh Abdullah, a Kashmiri nationalist, was also at this time an Indian nationalist. He endorsed the princely state's hurried accession to India. His supporters organized a volunteer militia to help Indian troops in repulsing an invading force of Pakistani tribesmen. Their presence on the streets of the Kashmiri capital was an emphatic demonstration that the old princely order had been banished. The alliance between Kashmiri and Indian nationalisms was both personal – there was a deep bond of friendship and common purpose between Abdullah and India's first Prime Minister, Jawaharlal Nehru – and political, with a shared allegiance to a progressive agenda. Yet, six years later, Nehru oversaw the dismissal and arrest of his old ally because Sheikh Abdullah, as Prime Minister of Jammu and Kashmir, was questioning the state's accession to India and talking about the option of independence. The national aspirations and imperatives of Kashmir and of India, as expressed by their political leaders, were in conflict. Competing nationalisms can co-exist within the same nation-state, though only with constant adjustment and compromise. That in turn requires a level of comfort and confidence between political leaderships – something that has not been evident in relations between Delhi and Srinagar.

In a celebrated article published a quarter of a century ago, prompted by the outbreak of a violent separatist insurgency in Kashmir and the determined military response of the Indian Government, the political scientist Ashutosh Varshney described the Kashmir problem as a consequence of three compromised nationalisms (Varshney, 1992). The 'religious nationalism' of Pakistan claimed Kashmir because Islam was the basis of its national identity and most Kashmiris were Muslims; the 'secular nationalism' of Nehru cleaved to Kashmir because as India's only Muslim-majority state, it was a statement that religion did not define

the nation; while Kashmir's 'ethnic nationalism' sought a political expression of the Valley's distinct history, culture, traditions and aspirations, which – to an appreciable extent – were common to the Muslim majority and the small but influential Pandit (that is, Kashmiri-speaking high-caste Hindu) minority. All these nationalisms had been tarnished by the conflict over Kashmir's status, Varshney argued – and all had been locked into political stances which left no appreciable room for a settlement. For both Pakistan and India, the territorial claim to Kashmir has been central to their own concept of the nation – and the more that Kashmir became contested between these regional rivals, the more difficult any compromise became. As a consequence of its determination to hang on to Kashmir, Delhi chose not to accommodate Kashmiri nationalism, but to smother it. Institutions were corrupted, political parties and movements were suborned or repressed, and civil society was stunted by official disapproval and disruption.

Of the three nationalisms in this painful triangle, Kashmiri nationalism is, perhaps understandably, the least well understood. Sheikh Abdullah (sometimes known as 'the Sheikh', though he was not born to privilege or any position of authority) spearheaded the political 'awakening' in the Kashmir Valley in the 1930s, and led the opposition to autocratic princely rule. He gave expression to a vision of a New (or *Naya*) Kashmir, which was to be democratic, socialist and secular. In devising this agenda, Sheikh Abdullah was influenced by communists in particular, to an extent that has been largely overlooked (except as partisan polemic). This chapter explores the nationalism, which became such a powerful force in the Kashmir Valley;¹ the leftist inflection it adopted in its early years; the manner in which Indian and Kashmiri nationalisms became so entwined; and how they came to diverge.

Kashmir's political 'awakening'

Jammu and Kashmir was slow to feel the new political breezes blowing after the First World War, namely nationalism, liberalism and socialism. The Kashmir Valley was geographically and intellectually isolated. There were in the 1920s no newspapers to speak of, no political parties and no secular intelligentsia of consequence apart from those who relied on the patronage of the ruling princely family. The schools administered by the Maharaja and the handful established by Christian missionaries disproportionately served the small and privileged Hindu minority in the towns. Across the princely state, Muslims outnumbered non-Muslims by three to one – in the Kashmir Valley the ratio at this time was

thirteen-to-one – but few Muslims held positions of any importance in the Hindu Maharaja's administration. Those Kashmiri Muslims with ambition tended to migrate to towns in Punjab to seek their way in the world.

Sheikh Mohammad Abdullah is indelibly associated with the birth of popular politics in Kashmir, and his personal story reflects the lack of opportunities available to talented young Muslims. He was born in 1905 just outside Srinagar into a middle-class family in the shawl business, though the death of his father just before his youngest son's birth plunged the household into poverty. He secured a college place in Lahore, and then at one of north India's most prestigious places of learning, Aligarh Muslim University, but was angered that the state administration would neither fund his studies outside Kashmir nor support his ambition to become a doctor. He was eventually given a teaching post, but quickly gave it up in favour of politics. Much of the energy and passion which Abdullah displayed throughout his long political life may well have been fuelled by a deep sense of grievance.

Political activity in Kashmir did not, as is sometimes suggested, emerge from a clear blue sky in 1930. But the establishment in that year by Sheikh Abdullah and a handful of other young, educated, Srinagar-based Kashmiris of the Reading Room group was an important step in the development of a more assertive political leadership, which sought to represent the marginalized and poor. This was, as the name suggests, more of a discussion group than a political movement – but it had an agenda, that the humiliations endured by Kashmir's Muslim majority would only be remedied through political reform. The following year, a combination of issues – more religious than political – prompted demonstrations in the streets of Srinagar, which resulted in some communal attacks on Hindus and their businesses. On 13 July 1931 – the anniversary is still marked in Kashmir as Martyrs' Day – twenty-one protestors were shot dead by the Maharaja's security forces, who also resorted to mass arrests (Abdullah himself was held for three weeks). The unrest spread to other towns in the Kashmir Valley, and beyond to Jammu province where several hundred British troops were drafted in to help the Maharaja restore order. For the first time, politics in Jammu and Kashmir attracted international attention, with newspaper headlines speaking of a Kashmiri 'revolt' or 'uprising'.

These violent protests, among the most serious anywhere in India between the wars, changed Kashmiri politics in two ways, occasioning a measure of reform and allowing an opening to a popularly-based opposition. The spotlight fell on the Maharaja's autocratic rule. A British official led a commission of investigation,

which prompted some tentative measures of liberalization. Maharaja Hari Singh was persuaded to establish a partly-elected assembly, and although it had little real power and the franchise was very restricted, this was a tentative step towards representative government. The 1931 uprising had no central leadership, nor indeed a common purpose. But it was the moment when Sheikh Abdullah emerged in Srinagar as a popular leader among the city's Muslims, reinforced by the way in which he advocated political reform and demanded concessions about religious practises and sites from the government. He was accomplished at reciting from the *Quran* and his height and resonant voice added to his authority. He became known as *Sher-e-Kashmir*, the Lion of Kashmir, a title he relished. Sheikh Abdullah's voluminous autobiography is more revealing than its author perhaps intended (Abdullah, 2013). It demonstrates his courage, confidence and charisma, as well as an impetuous nature, intensely self-regarding and often wispish about colleagues whom he regarded as disloyal.

The year after the protests and repression, in 1932, Sheikh Abdullah took the lead – along with Muslim activists in Jammu – in establishing a political party, the All Jammu and Kashmir Muslim Conference, of which he became the founding president. His political authority in Srinagar was not unchallenged. There was an intense rivalry with a one-time ally, Srinagar's senior hereditary Muslim chief priest, the Mirwaiz Kashmir (a division which is still evident today). Sheikh Abdullah's following was largely in the Kashmir Valley, and Muslim Conference leaders in Jammu were uncomfortable with both the style and substance of his leadership (another enduring political fault line). But Abdullah, supported by a small group of able colleagues, was able to fashion the Conference into a broad-based political organization.

Sheikh Abdullah's particular achievement was to instil in the Muslim Conference a progressive and outward-looking political approach. Its founding had been rooted in a community's sense of grievance – against the manner in which the Hindu princely state was run and defining Muslims' interests against those of their more privileged Hindu neighbours. But within a few years, Abdullah began to adopt a language that emphasized national rather than religious identity (Zutshi, 2003, 244–58). In the mid-1930s, he met Jawaharlal Nehru, the leading figure in the Indian National Congress. Nehru's family were, several generations earlier, from Kashmir – they were Pandits – and while his visits there prior to 1940 were infrequent, his affinity with Kashmir was profound. 'Kashmir affects me in a peculiar way', Nehru confided to Edwina Mountbatten, 'it is a kind of mild intoxication' (Ziegler, 1985, 445). When he addressed Sheikh Abdullah's

party activists in 1945 as ‘my brother and sister Kashmiris, people of the same blood and kith and kin’ (Nehru, 1982, 388–91), he meant it. This helped build bonds with Sheikh Abdullah as well as shaping the Congress’s (and later the Indian Government’s) engagement with Kashmir. Sheikh Abdullah for his part was increasingly attracted to Nehru’s style of politics:

The position of the Congress was in favour of the people of the [princely] states, whereas the Muslim League leaned to the rulers of the states. This had an impact on us too, so we were spontaneously drawn to the Congress (Abdullah, 2013, 160–61).

Sheikh Abdullah travelled with Nehru in the North West Frontier Province in 1937 where they both met another popular Muslim political leader who was attracted towards secular and progressive politics, the ‘Frontier Gandhi’, Khan Abdul Ghaffar Khan. A few years later, the three men met again, at Abdullah’s invitation, in Kashmir. Abdullah attended annual sessions of the Congress and was given a senior position in the Congress-aligned All India States’ People’s Conference, which represented political movements in the princely states. He began to develop a profile beyond Jammu and Kashmir.

In 1938, Sheikh Abdullah, swayed by Nehru, proposed renaming the Muslim Conference as the National Conference. This was intended to demonstrate that the party sought to represent the interests of all subjects of the princely state, not simply the majority community. It was an important statement that the party saw political identity as based on nation and not religion – echoing Nehru’s Congress rather than Jinnah’s Muslim League. There was opposition to the change of name and Abdullah described the ‘conversion’ as a ‘painful process’ – but also as ‘a revolutionary act in the Kashmir politics’ (Abdullah, 2013, 169, 178). It was a considerable political achievement when, the following year, the party accepted the new name with little active dissent. The adaptation of the Conference was not entirely successful. Within a few years, a group including the party’s most prominent figure in Jammu, Chaudhuri Ghulam Abbas, broke away and re-established the Muslim Conference, which became loosely aligned with the Muslim League.² This reborn Muslim Conference probably had broader support among Jammu’s Muslims than the National Conference. The Kashmiri nationalism that Sheikh Abdullah espoused, although nominally embracing all of the princely state, was always more about the Kashmiri-speaking heartlands.

New Kashmir

While Sheikh Abdullah achieved a personal and political alliance with Nehru and the Congress there was another pole of attraction for Kashmiri nationalism: the left. Communist influence within the National Conference helped to shape both the tone and the agenda of its nationalism. Communists were responsible for the 1944 'New Kashmir' document, which gave detailed expression to the goals of the National Conference and came to be the shorthand by which Sheikh Abdullah's ambition for a transformation of Kashmir was known. By embracing communist support, Sheikh Abdullah was not renouncing the Congress – it was in all probability a pragmatic decision, if a decision at all. The Congress had little time for detailed involvement in Kashmiri politics in this crucial decade for the subcontinent, and indeed for the last three years of the Second World War, Nehru – along with much of the Congress leadership – was locked up in jail. Communists, both Kashmiri and well-wishers from outside the Valley, were committed to the support of radical parties such as the National Conference and had the intellectual and organizational grounding to make a difference.

Communist activity in Kashmir dated from the late 1930s and their approach chimed with the emphasis on social justice and economic opportunity which was such an important component of the political 'awakening' (Whitehead, 2010). It was encouraged by summer gatherings in Srinagar of left-leaning intellectuals from Lahore and elsewhere. By the early 1940s, the Communist Party of India had identified Kashmir as a political issue worthy of active support and a small but significant number of local recruits had been made. 'New Kashmir' – which has been described as 'the most important political document in modern Kashmir's history' (Bose, 2003, 250) – was written in response to an initiative by the Maharaja to establish a commission to consider constitutional change. The National Conference prepared as its submission a comprehensive proposed constitution for Jammu and Kashmir. The English edition amounted to forty-four pages. 'To compile the manifesto we requisitioned the services of a famous progressive friend from Panjab [sic], B.P.L. Bedi', Abdullah recalled (2013, 217). Bedi had been attracted to communism at Oxford, where he also met his wife, a fellow student, Freda Houlston. Both became political figures of influence in Lahore and later in Srinagar.

The conventional wisdom is that Bedi, with help from communist colleagues in Lahore, wrote 'New Kashmir'. In fact, the document was largely lifted from the constitution Stalin had introduced in the Soviet Union and which Bedi knew well, having republished it in full in 1937 in a political quarterly he edited

in Lahore, *Contemporary India*. There were some concessions to Kashmir's particular circumstances – notably an acceptance of constitutional monarchy – but it was a thoroughly radical prescription for the state: freedom of conscience, worship, speech, press and assembly was to be enshrined in law; there was to be free and universal elementary education conducted in the mother tongue; women were assured of equal rights, including equal wages; there would be a planned economy; and a National Assembly was to be elected by secret ballot with everyone aged over eighteen able to vote.

Alongside this draft constitution, 'New Kashmir' contained a national economic plan, which may have been influenced by demands raised in the *kisan* or peasants' movements in Punjab. This included a blueprint for a state-managed economy and embraced the abolition of landlordism and a detailed policy of agrarian reform encapsulated by the phrase 'land to the tiller'. It incorporated a women's charter, which included the right to enter trades and professions, to own and inherit property, and to consent to marriage. In his introduction, Sheikh Abdullah made explicit the inspiration that the National Conference took from Moscow: 'In our times, Soviet Russia has demonstrated before our eyes, not merely theoretically but in her actual day to day life and development, that real freedom takes birth only from economic emancipation' (New Kashmir, 7). To reinforce this revolutionary hue, the cover of the document when published in pamphlet form was in red – showing a pheran-wearing woman with her head covered brandishing the National Conference flag of a plough in white on a red background (which, as the British communist Rajani Palme Dutt noted in *Labour Monthly* in October 1946, had more than a passing similarity to the hammer and sickle).³ It was as if Marianne, the flag-wielding and barricade-storming emblem of the French republic, had come to the foothills of the Himalayas.

'New Kashmir' was, said Sheikh Abdullah, 'a revolutionary document'. He was sensitive to charges that he had relinquished his party's policy strategy to the left, just as he was keen to rebut suggestion that he was too close to the Congress:

One aspect of communist ideology is that it sides internationally with labourers and oppressed people, a fact that the National Conference has always appreciated. It has illumined its conscience not only by the Russian revolution but also by the ideals and emancipatory principles of the French revolution. Indeed, we too favoured combining the communist ideology with democracy and liberal humanism (Abdullah, 2013, 218).

In its imagery and approach, the document borrowed heavily from the French

and Soviet traditions of a determinedly secular style of nationalism. New Kashmir now became the National Conference's rallying cry. And while much of the policy prescription it contained was not acted upon, in certain crucial aspects, notably the outlining of a comprehensive plan for land redistribution, it gave notice of what a future National Conference administration would implement.

Quit Kashmir

In Kashmir, as in the rest of India, the tone of politics changed after the end of the Second World War, when it became clear that the newly elected Labour Government in Britain was committed to granting independence. Sheikh Abdullah was not in Srinagar when a British Cabinet Mission visited in April 1946, but he sent a telegram to express the National Conference's increasingly forthright point of view: 'Today the national demand of the people of Kashmir is not merely the establishment of a system of responsible government, but their right to absolute freedom from the autocratic rule of the Maharaja' (Abdullah, 1947, 1–3). This was a notable hardening of political attitude from the New Kashmir manifesto. Sheikh Abdullah was no longer arguing for a constitutional monarchy but making a 'national demand' for the sovereignty of the people of Kashmir.

A matter of weeks later, the National Conference adopted the slogan 'Quit Kashmir' – a deliberate echo of the 'Quit India' campaign pursued by the Congress during the war. While Indian nationalists had been calling on the British to leave, the Kashmiri nationalists' target was their own princely family. Sheikh Abdullah insisted that one campaign was a 'logical extension' of the other:

When the Indian freedom movement demands the complete withdrawal of British power, logically enough the stooges of British Imperialism also should go and restore sovereignty to its real owners - the people Sovereignty is not the birthright of a ruler. Every man, woman and child will shout 'Quit Kashmir.' The Kashmiri nation has expressed its will (Abdullah, 1947, 7–8).

The campaign was in part intended to buttress the faltering support for the National Conference in the war years – when the party was variously castigated for being too close to the Congress, seen by some in Kashmir as Hindu-dominated, and for being too willing to collaborate with princely rule.

Quit Kashmir saw protests across much of the Kashmir Valley, though with less support elsewhere in the state. The Maharaja's administration responded

with repression. Sheikh Abdullah was arrested in May along with many other National Conference leaders. His key lieutenants, Bakshi Ghulam Mohammad and G. M. Sadiq, managed to get to Lahore from where they sought to lead the movement from a distance. Communists and those working with them, notably Ghulam Mohiuddin Karra, were active underground in Kashmir. And for the first time, women came to prominence within the Kashmiri nationalist movement. 'When [the] male leadership was put behind the bars or driven underground, the women leaders took charge and gave a new direction to the struggle', recalled Krishna Misri, then a teenager living in Srinagar. 'However the leaders addressed no controversial woman-specific issues for they did not want to come across as social rebels' (Misri, 2002, 19–20).

The pursuit of the Quit Kashmir campaign caused an overwhelming difficulty for the National Conference – almost all the leadership was under arrest or out of the picture at a time of political turbulence and crisis. Sheikh Abdullah was in part saved by the failings of his political rivals; the Muslim Conference was divided, but the larger faction was goaded to oppose the Maharaja's repression and some of its leaders were also jailed. There was, however, a key dividend for Sheikh Abdullah. The Quit Kashmir agitation, Sheikh Abdullah's arrest and the widespread condemnation that attracted, confirmed his party as the most determined opposition in the Kashmir Valley to an unpopular and unwise Maharaja. Abdullah himself, with his charisma and undoubted political courage, was unrivalled in his popular support. 'As the architect of the Kashmir freedom struggle, his sacrifices in that cause had become legendary', asserts the historian Ian Copland. 'Of course, like every leader, the Lion of Kashmir had his flaws and limitations ... But in the early 1940s he dominated his party and region to an extent probably unmatched by any other contemporary politician' (Copland, 1991, 230).

Sheikh Abdullah was put on trial for sedition and exciting disaffection towards the Maharaja. Nehru tried to get to Srinagar to take part in his defence. On the first occasion, he was stopped and detained by the Jammu and Kashmir state authorities – a move which horrified Karan Singh, the Maharaja's son and heir: 'instead of welcoming [Nehru] and seeking his co-operation, we had arrested him. I have no doubt that his arrest was the turning point in the history of the State' (Singh, 1982, 40). A few weeks later in July, Nehru managed to reach the Kashmiri capital and Sheikh Abdullah recalled that it was the only time he saw his friend in his barrister's gown. Rajani Palme Dutt, a leading British communist who had enormous influence in the Indian party, also met Sheikh Abdullah in

court and described Kashmir as 'the political storm-centre of the Indian fight for freedom' (Dutt, 1946, 321). In the Valley, communists organized discretely within the National Conference; Sheikh Abdullah 'was very sensitive about any parallel political activity', one communist veteran recalled.⁴ Indian communist publications, which had hitherto largely ignored Kashmir, championed both the Quit Kashmir movement and Sheikh Abdullah.

In the turbulent politics of the mid-1940s, there was little open discussion of how the Kashmiri nationalism of the National Conference would co-exist with the Indian nationalism of the Congress. In September 1946, Nehru provided the introduction to an account of Sheikh Abdullah's trial in Srinagar earlier that year which sought to address the relationship between these two nationalisms:

Just when we find that India is on the verge of independence, we find the Kashmir authorities, totally oblivious of this fact, seeking to crush their own people and their desire for freedom. A real people's movement can never be crushed in this way, much less can it be crushed when India herself is putting an end to foreign rule. ... The story ... will go on till it reaches the logical end which can only be the establishment of freedom in Kashmir within the larger frame-work of a free and independent India (Abdullah, 1947, i–iii).

The same volume carried Sheikh Abdullah's speech from the dock, which ended with a peroration looking to a future 'in which we as free men and women, linked organically with the rest of India, will build the New Kashmir of our dreams' (Abdullah, 1947, 38). The subtle difference of emphasis here would have been regarded as inconsequential at the time, but it exposed a fault line which would later become much more pronounced. Abdullah was talking of a relationship between Kashmir and India based on equality and mutual respect; Nehru's comment implied an element of hierarchy.

Kashmiri nationalism in power

Kashmiris often complain of a lack of agency in determining how they are governed. The much repeated adage is that Kashmir has not been ruled by Kashmiris since 1586, when Mughal rule was established over the Valley. That sense of grievance is profound – and understandable. But the tumultuous events of the autumn of 1947, when Sheikh Abdullah was released from jail and within weeks found himself effectively in command in Srinagar, were a rare moment of mass political mobilization during which the actions of Kashmiris shaped events,

rather than merely registering a protest against them. This is not the place for a detailed account of Kashmir's accession to India and the initial episodes of the enduring dispute between India and Pakistan – but it is necessary to rehearse at least some of that narrative to understand how Kashmiri nationalists came to power and the limits to their authority.⁵

India and Pakistan gained independence in August 1947 with Maharaja Hari Singh still vacillating about the state's future – he hoped that Jammu and Kashmir could be independent, though he had been told that this was not an option – and its most commanding political leader behind bars. The Maharaja's administration came under pressure from Delhi to free Sheikh Abdullah and did so on 29 September. The crowds which greeted the National Conference leader in Srinagar were a powerful affirmation of his popularity. But the political situation had changed during his detention and it took him a while to realize just how rapidly events were moving. The most pressing issue facing Jammu and Kashmir on his release was accession: would the princely state sign up with India or Pakistan? Both the Maharaja and Sheikh Abdullah were, for different reasons, leaning towards India – but Abdullah argued for 'freedom before accession', insisting that Kashmir's priority was responsible government and that a decision on its future status could wait. Some within the National Conference were even at this late stage indulging in left-wing rhetoric. 'What the present moment demands and demands urgently is not accession to Pakistan or India', argued a newspaper supporting the National Conference, 'but power to the people' (Zutshi, 2003, 307–08).

In as much as the British authorities had thought about Kashmir's future dispensation, there was a tacit assumption that it would go to Pakistan (Messervy, 1949, 482). This reflected not simply the logic of Partition that adjoining Muslim-majority areas would form a state for the subcontinent's Muslims, but also patterns of transport, trade and cultural affinity (Snedden, 2015, 153–54). The Muslim Conference came to advocate accession to Pakistan, and there were other, at first glance unlikely, proponents of Pakistan's case; among those who came to Srinagar in early October to lobby was Sheikh Abdullah's old friend, Muhammad Din Taseer, a leftist who had been a college principal in the Kashmiri capital (Taseer, 1986, 49–53).

The issue was forced by an invasion of Kashmir in late October by several thousand armed tribesmen from areas adjoining Pakistan's North West Frontier Province. The Maharaja's authority was already being challenged by a serious local uprising in Poonch in the west of Jammu province, which spread to areas

near Mirpur where a provisional government was declared (Snedden, 2012, 41–47). The tribal army that entered the Kashmir Valley was a more considerable force, and had the silent support of sections of Pakistan's government and armed forces. It advanced with a mix of motives: to secure Kashmir for Pakistan, wage *jihad*, evict its non-Muslim ruler and accumulate loot. As a fighting force it was formidable but ill-disciplined. At first, some Kashmiris welcomed these invaders as liberators from an unpopular Maharaja. But the tribesmen's appetite for ransacking, rape and abduction – targeted mainly, but far from exclusively, at non-Muslims – both delayed their advance and lost them local support. It also terrified the Maharaja and with the encouragement of the Indian Government, he abandoned Srinagar for Jammu (Whitehead, 2007, 104–12).

As soon as Hari Singh reached his palace at Jammu, he signed the document which made his princely state part of India. By then, India's armed forces had begun an airlift to Srinagar – though they were not able to land more than a few hundred troops a day. These forces initially failed to stem the invaders' advance, and the armed tribesmen reached within a few miles of the Kashmiri capital. But as India's military presence in Srinagar grew, and with the deployment of military aircraft to strafe and bomb the Pakistani irregulars, it gained the upper hand. The tide turned with an encounter at Shalateng just outside Srinagar on 7 November. The following day, the Indian army entered unchallenged the key town of Baramulla, which had been under the invaders' control for a little under two weeks. The conflict was not over, indeed in many ways it had hardly begun, but ever since then India has had military control of the Kashmir Valley.

The departure of the Maharaja and most of his administration left a political vacuum which the National Conference was quick to fill. National Conference volunteers took to the streets – and with Nehru's support, and with weapons and training provided by the Indian army, were transformed into a national militia. The depredations of the tribal fighters in Baramulla had deeply alarmed many in Srinagar and the immediate goal of the militia was to defend the Kashmiri capital. In the most startling innovation of the new era, a Women's Self Defence Corps was raised in Srinagar, consisting disproportionately of Pandit women and teenage girls, but extending across communities. The women volunteers drilled in public and were trained in the use of rifles. There could be no more emphatic demonstration that princely rule was in effect over than the presence of Sheikh Abdullah's supporters, some of them armed, on the streets of Srinagar.

The Kashmiri capital, by the accounts of those witnessing the new order, pulsed with political energy. The *Times of India* correspondent in an article

published on 8 November 1947, the same day that Indian troops took Baramulla, gave a sense of the mood of the moment:

The National Conference red flag ... decorates every public building in the city. In the main square in the heart of the city, which has been renamed 'Red Square', a giant red flag flutters from a tall mast under which workers and ordinary people foregather at all hours of the day to hear the latest news of the war and exchange political gossip. Here also is located the National Militia's 'guerilla operational headquarters' and the National Conference H.Q.

The square was renamed as (and is still known as) Lal Chowk or Red Square not simply because of the National Conference flag, but in tribute to the Red Square in the Soviet capital. The left took the initiative in organizing both the men's and women's militia. Communists also initiated a cultural front by which progressive writers and artists from across India sought to celebrate the popular mobilization that had secured Sheikh Abdullah's rise to power. While what Srinagar experienced was not a classic revolution, it was a mass movement, which hastened and confirmed a change of regime; but as it was also an endorsement of Indian rule, this chapter in Kashmir's modern history does not easily fit any of the competing nationalist narratives and so has been largely written out of the historical record.

At Nehru's insistence, Sheikh Abdullah was appointed by the Maharaja as head of the emergency administration, working in tandem with his Prime Minister. This awkward, and short-lived, constitutional dispensation could not disguise that political authority in the Kashmir Valley rested with the National Conference – where of course it was buttressed by the presence of the Indian army. Within six weeks of his release from jail, Sheikh Abdullah had come to power – though not of an independent nation-state, but of a constituent of newly-independent India. Kashmir's status was not finally resolved by the Maharaja's signature on the instrument of accession. Lord Mountbatten, the first Governor-General of independent India, accepted accession but subject to 'a reference to the people' of Jammu and Kashmir once law and order had been restored.

A few days later on 2 November 1947, with the struggle for Srinagar still unresolved, Nehru made two commitments which the Indian Government failed to honour: that India's military presence in Kashmir would end once 'Kashmir is free from the invader'; and that Kashmir's future status would be determined by 'a referendum held under international auspices like the United Nations' (*White*

Paper, 1948, 52–55). Nehru visited the Kashmir Valley nine days later, addressing a rally alongside Sheikh Abdullah at Lal Chowk and visiting the devastated town of Baramulla. The National Conference leader, still becoming accustomed to his new-found power, was not initially enthused by the prospect of a popular vote. 'After what happened in these places', he was quoted as saying in the *Hindustan Times* of 12 November 1947, 'the people of Kashmir may not bother about a referendum.' Over the years, both men's views changed – Nehru came to argue that a referendum was no longer necessary, while Sheikh Abdullah put such an emphasis on self-determination that the organization in which his followers mustered from the mid-1950s was called the Plebiscite Front.

The parting of the ways

Sheikh Abdullah and his colleagues took power in Jammu and Kashmir under the shadow of war. While the Indian army repulsed the invading forces from the Kashmir Valley, it failed to secure control of the entire princely state. In the spring of 1948, Pakistan – worried about the prospect of a renewed Indian offensive – openly deployed troops to Kashmir. The two neighbours were at war. A ceasefire was achieved at the end of the year and the ceasefire line – which has changed remarkably little down the decades – entailed an informal partition of Jammu and Kashmir, with the greater part in terms of population, including all the Kashmir Valley, coming under Indian control. But this was not an enduring settlement – and decades later, there still is no resolution of Indian and Pakistani conflicting territorial claims over the region. Parts of the former princely state were also caught up in the communal violence, which disfigured the end of the British Raj with substantial population movements in the Jammu region in particular and grievous massacres of Jammu Muslims.

It was not an easy backdrop to achieve the idealism of New Kashmir. The leaders of the National Conference had next to no experience in administration. Sheikh Abdullah had proved himself to be a hugely effective political mobilizer, but he was not an instinctive pluralist. The party had never needed to organize a significant election campaign; it had not come to power by the ballot box and the first elections of consequence were to the state's Constituent Assembly in 1951, four years after accession. The new administration's task was further complicated by the sharply varying political cultures of the constituent parts of the Indian state of Jammu and Kashmir – the Jammu region, almost as populous as the Kashmir Valley, had (after 1947) a Hindu majority, which broadly supported full integration with India; the sparsely populated Ladakh region, which was

itself divided into areas of Buddhist and of Shia Muslim predominance, was also uneasy about Kashmiri domination of the state.

In all the circumstances, it is remarkable that Sheikh Abdullah's administration (he formally became Prime Minister of Jammu and Kashmir in the spring of 1948 and the monarchy, by then of no real authority, was abolished in 1952) made any headway in building a progressive Kashmir. His great achievement, and one in which he took pride, was the implementation of perhaps the most far-reaching land reforms in independent India. In the early 1950s, several thousand large and medium-size landowners, most non-Muslims, lost much of their estates without payment of compensation. The implementation was not without flaws, nevertheless 7,00,000 landless cultivators became peasant proprietors, albeit often with small plots, and the profound problem of rural indebtedness was also alleviated. In an agrarian society, this really was a revolution – for most Kashmiris, it was the most emphatic demonstration of New Kashmir in action.

Kashmir's new leader had less success in achieving unity of purpose within his movement. While Sheikh Abdullah had been happy to have the left's support in his years in opposition, he was instinctively uncomfortable with the communists, not least because their loyalty was not unwaveringly to him. Abdullah did not include the left's champion, G. M. Karra – the only Kashmiri political leader with a popular following to rival his own – in his cabinet, and rather than agree to the communist call to turn his volunteer force into a 'People's Militia', in 1948 he reorganized the militia to curb communist influence. By then, the Communist Party of India had lurched towards ultra-leftism and largely abandoned work within 'national bourgeois' political forces. That did not stop loud complaints of communist influence, both from political rivals and from outside observers such as the Czechoslovak diplomat Josef Korbel, who regarded Abdullah as 'an opportunist and, worse, a dictator' and was worried 'that Kashmir might eventually become a hub of Communist activities in Southern Asia' (Korbel, 1966, 97, 198, 207).

Factional infighting and complaints of corruption also troubled the state administration and tarnished the reputation of its leaders. Opponents of the state government were harassed, and some – including Karra – were jailed. Alongside all this, Sheikh Abdullah became increasingly critical of Delhi's attitude towards Kashmir. For the Indian Government, keeping hold of Kashmir – as a statement of its secular nationalism and to deny its neighbour and rival – became a greater priority than securing the good governance of the state and the popular legitimacy of its rulers. 'Commitment to liberal principles was the reason Nehru offered plebiscite to Kashmir as a method of confirming a provisional accession.

But nationalism soon defined the limits of liberalism ...', Ashutosh Varshney has argued. According to him, 'Kashmir exemplifies the helplessness of liberalism against nationalism' (Varshney, 1992, 197). Or to put it another way, Indian nationalism trumped Kashmiri nationalism.

The Indian Constitution, which came into effect in the early 1950s, contained a provision, Article 370, which codified the distinct status of Jammu and Kashmir. This limited Delhi's direct authority over the state and allowed for Jammu and Kashmir to have its own constituent assembly. In practical terms, it meant that the authority of some India-wide bodies such as the Supreme Court and the Election Commission did not automatically extend to the state; that Kashmir's flag could fly alongside the national flag; and that some idiosyncracies in titles and procedures could persist. In a broadly federal system of government, in which the states have considerable power, it meant that Jammu and Kashmir had a measure more autonomy than other states. In practice, it has had less autonomy. Many of the provisions of Article 370 have been unravelled – though its totemic political importance remains – and Delhi has interfered more persistently in Jammu and Kashmir than probably any other state. It is now, in the apt words of Christopher Snedden, 'fully integrated into India administratively, economically and politically – although not emotionally' (Snedden, 2015, 193).

From Delhi's perspective, Sheikh Abdullah appeared to be arguing with growing vehemence that if India did not respect Kashmir and its institutions, then the issue of accession might need to be revisited. Sheikh Abdullah angrily insisted that he was not, as alleged, working with outside powers to detach Kashmir from India. But for all his protestations, his impassioned rhetoric – in public and in private – could give rise to such suspicions. Sheikh Abdullah told a British journalist in 1949 that 'independence – guaranteed by the United Nations – may be the only solution' to the issue of Kashmir's status (Davidson, 1949). Of even greater concern in Delhi was Abdullah's conversations with diplomats. In January 1948, while in New York to press India's case at the United Nations, Abdullah had a conversation with an American diplomat who put on record the substance of their meeting. 'It is possible that [the] principal purpose of Abdullah's visit was to make it clear to [the] US that there is a third alternative, namely independence. He was overly anxious to get this point across.' This was not an isolated act. In September 1950, the American Ambassador to India sent a telegram to Washington about 'two secret discussions' with, and at the initiative of, Sheikh Abdullah: 'He was vigorous in restating that in his opinion [Kashmir] should be independent; that overwhelming majority population

desired this independence' (Bhattacharjea, 2008, 154; Varshney, 1992, 205). When addressing local audiences, Sheikh Abdullah was more circumspect, and in his inaugural address to Jammu and Kashmir's Constituent Assembly in May 1951, he specifically set his face against independence. But when he later began to speak of 'a free and voluntary association of partners' (Bhattacharjea, 2008, 161), a partnership between Kashmir and India rather than Delhi's goal of integration, the Indian Government began to lose patience.

In August 1953, Sheikh Abdullah was dismissed as Prime Minister and detained. His deputy and long-time close associate, Bakshi Ghulam Mohammad, took over as Prime Minister of Jammu and Kashmir. In public, Nehru kept a distance from the decision, but the memoirs of his intelligence chief leave no doubt that India's Prime Minister was party to the arrest of his one-time friend (Mullik, 1971, 36–45). Sheikh Abdullah spent most of the next twenty years in Indian jails, under house arrest, or banned from his home state. He was eventually reconciled with Nehru, after a fashion, but in his memoirs, the Kashmiri leader's bitterness at what he called a 'coup' seeps through, made more intense because the two men had once been such staunch allies. 'For me', Abdullah laments regarding Nehru, 'he proved more oppressive and dictatorial than the Maharaja' (Abdullah, 2013, 188). The brutal response to the protests prompted by Abdullah's dismissal – Nehru recorded that his intelligence service said there had been forty-nine deaths in 'police and like action' (Nehru, 1998, 373–74) – were more reminiscent of the Maharaja's rule than of the promise of New Kashmir. Abdullah's successors necessarily relied on Delhi for their position, so much so that the National Conference was at one point merged with the Congress party. Sheikh Abdullah regained power in Kashmir a little over twenty years after his dismissal, but then only because he had made an inelegant deal with Prime Minister Indira Gandhi, Nehru's daughter.

India's action in replacing Sheikh Abdullah, and the habit of interference in Kashmir affairs it initiated, tarnished the legitimacy of state governments in Jammu and Kashmir for half a century. Some would argue that its shadow still hangs over Srinagar. Kashmiri nationalist parties committed to constitutional politics have been compromised by the deeply unequal relationship with Delhi. The broad Kashmiri nationalist current has at times made accommodations – sometimes out of principle, at others largely tactical – with the Indian state. But there has been no enduring settlement between Kashmiri and Indian nationalisms, no agreement about the extent of autonomy for the state, and it is not hard to see why such a resolution has proved so elusive.

Endnotes

- 1 This chapter is principally concerned with the Kashmir Valley, the heartland of Kashmiri culture and national identity, which constituted a little less than half the population of the domain of the Maharaja of Kashmir (the princely state of Jammu and Kashmir), and currently constitutes a little more than half the population of the Indian state of Jammu and Kashmir.
- 2 When Jinnah visited the Kashmir Valley in 1944, he lavished praise on the Muslim Conference and rebuffed Sheikh Abdullah's political overtures. This may have been a recognition that Sheikh Abdullah was unlikely to endorse eventual accession to Pakistan, but it may also have served to push Abdullah towards the Congress.
- 3 The *pheran* is the cloak-like garment which is widely worn in the Kashmir Valley.
- 4 Pran Nath Jalali, interviewed by the author, 30 March 2007, Delhi.
- 5 A detailed account of Kashmir in 1947 can be found in Whitehead, 2007. This presents the compelling evidence that the Maharaja signed the instrument of accession by which his princely state became part of India on 27 October 1947, and not, as the official Indian account continues to insist, on the previous day.

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Kashmiri Visions of Freedom

The Past and the Present

Shabla Hussain

We want– Freedom!
It's our right– Freedom!
Say it aloud! Freedom!
Shout it out! Freedom!
Beat us down! Freedom!
Here she comes– Freedom!
Beloved one – Freedom!
That scented one– Freedom!
We'll take it– Freedom!

Selections of Slogans
(*Jashn-e-Azadi*, 2007)

Introduction

In the winter of 1990, the Kashmir Valley was in the throes of a full-fledged insurgency against the Indian state. Kashmiri passions reached a fever pitch as the mass upsurge took the form of a pro-independence movement. Streams of Kashmiris poured onto the streets of Srinagar chanting slogans of 'aazadi' (freedom). The idea of freedom received almost universal support in Kashmiri Muslim public opinion, even by those who had once been ardent supporters of Sheikh Mohammad Abdullah, the Kashmiri nationalist leader who had tied Kashmir's fate with India in 1947. The word *aazadi* ultimately became an inherent part of Kashmiri Muslim political discourse. Its meaning has been the subject of an acerbic debate among politicians and policymakers in South Asia, as the concept is constructed and deconstructed to fit in with the nationalist perspectives of Pakistan, India and Kashmir. In these debates, the idea of freedom has been defined in a limited fashion – either as Kashmir's accession to Pakistan, its greater autonomy from the Indian union, or its complete political independence.

Most scholarship on the region views the Kashmir issue through the prism of Indian and Pakistani claims on the state, and the threat that Kashmir presents to the nation-states' strategic security, thus turning a political issue into a national security issue (Ganguly, 2003; Swami, 2007). Another strand of scholarship, mostly by political scientists, has focused on the Kashmiri right of self-determination and placed it within the framework of United Nations resolutions, which limited Kashmiris' right of self-determination to either joining India or Pakistan. Some have foregrounded the plurality of the state and highlighted the contested allegiances that complicate granting self-determination to Kashmiris (Behera, 2006; Puri, 1983). Others have suggested that the concepts of democracy and self-determination converge as the focal points of Kashmiri Muslim political aspirations (Bose, 2003). Although recent scholarship led by anthropologists has documented how violence, both state and insurgent sponsored, has complicated the meaning of *aazadi* for Kashmiris (Duschinski, 2009, 691–717; Robinson, 2013), no serious attempt has been made to historicize the idea of *aazadi* and place it within the context of Kashmir's social-political culture and popular discourse.

This article explores the key shifts in the Kashmiri definition of freedom from the early twentieth century to the present. Without denying the importance of political freedom for Kashmiris, I demonstrate that it is essential to examine Kashmiri imaginings of freedom in a historical context, not only to dispel the notion of freedom as a recent construct, but also to broaden its meaning from political emancipation to a concept informed by human dignity, economic equity and social justice. In fact, I argue that in shaping their idea of freedom, Kashmiris liberally borrowed from the ancient texts and mystical culture of Kashmir, while at the same time remaining open to new international ideas that could improve human relationships and lay the foundations for a strong society. However, there was not a single united vision of freedom, since schisms within and between communities and classes added complexities to the Kashmiri discourse on freedom.

Through a discussion of Kashmir's socio-political history, this chapter shows how pre-existing ideas of freedom became more prominent in public discourse in the postcolonial period, informing political debates and instances of popular resistance. The partition of the subcontinent generated animosities between the two nation-states that made Kashmir a symbol of national pride, a territory that had to be retained or gained regardless of the consent of its people. In the process, India and Pakistan utilized coercive instruments – the police, army and intelligence networks – to assist state-sponsored regimes in securing

central authority. They allowed misgovernance and denial of liberties to keep Kashmir politically quiescent. As a result, Kashmiri understandings of freedom merged with the Wilsonian concept of self-determination in the postcolonial era, politicizing its meaning and bringing into sharp relief the contested nature of *aazadi*.

Kashmiri understandings of freedom: Late nineteenth and early twentieth centuries

Freedom was an important component of Kashmiri socio-political discourse in pre-colonial and colonial times. The geographies, histories and ethical treatises of the pre-colonial era are replete with notions of freedom. Kalhana's *Rajatarangani* (River of Kings) – labeled the earliest recorded history of the Indian subcontinent by orientalist scholars – provided a message to Kashmiri society about efficient, ethical and moral governance. The twelfth-century text sketched a picture of a good king – one who ensured social peace, encouraged productivity of the land and governed wisely, in the process creating a harmonious society that could lead individuals toward freedom from injustice, ignorance and selfishness (Stein, 1900).

Through their poetry, the Muslim mystics of the fourteenth century explained emancipation as the struggle to attain good social relations, end economic injustice and create humanistic traditions that considered all human beings as creations of God (Kotru, 1989; Mattu, 1982). These imaginings of freedom, transferred from one generation to another through poetry and folklore, defined the way that Kashmiris perceived of emancipation. However, Kashmir's momentous pattern of repressive dynasties in the eighteenth century, for instance the Afghans, prevented them from attaining this vision of freedom. Regional narratives and European travelogues from that period document heart-wrenching stories of injustice and persecution meted out to Kashmiris to keep them in constant awe and terror (Jacquemont, 1936; Gadru *et al.*, 1973). This poverty and misgovernance continued into the nineteenth century, especially during the Sikh regime and the early decades of the despotic Dogra regime.

In the early twentieth century, social, economic and political transformations allowed Kashmiris to initiate a movement for emancipation based on conceptions of the rights of the ruled, the obligations of the rulers and general notions of good governance. Even then, the idea of freedom was not monolithic, but meant different things to different people; class and religious differences shaped the myriad meanings of freedom. The state of Jammu and Kashmir was created by the English East India Company in 1846 by patching together culturally diverse

regions and placing Gulab Singh, a Dogra chieftain from Jammu, as ruler of the state. This was a reward for his services during the Anglo-Sikh wars of 1846, when he played a vital role in helping the colonial power to undermine and eliminate the Sikh empire. Regional narratives of Kashmir label this transfer of territory as a 'sale-deed' that stripped Kashmir from the Sikh kingdom of Punjab and placed it under a Dogra Hindu ruling house, without consideration for the wishes or interests of the vast majority of its people, who happened to be Muslims (Rai, 2004, 18–21). Although it was not uncommon for rulers to belong to one religion while the majority belonged to another, the state of Jammu and Kashmir was different in that the majority of its Muslim subjects were excluded from power-sharing arrangements.

Furthermore, the socio-economic conditions in the princely state of Jammu and Kashmir ensured the dominance of the ruling elite over the vast majority of its subjects. Although hierarchal social divisions already existed within Kashmiri society, the Dogra state created a new group of landed elites, mostly Hindus, who were bestowed lands in compensation for services rendered – real or fancied. The landed elite had exclusive rights over tillers and few obligations to the primarily Muslim cultivators. Additionally, the peasantry faced exploitation from the Muslim religious elite (*Pirs*), especially the custodians of the shrines, who exerted their religious power to extract food grains from the peasantry (Zutshi, 2004, 77). Ties of obedience to the shrines prevented an agrarian revolt and the complicity of the Muslim elite with the Hindu bureaucracy ensured the dominance of the upper classes. This imbalance in power dynamics was echoed in Kashmir's urban centres.

Furthermore, throughout the nineteenth and twentieth centuries, natural calamities like famines and epidemics made life unbearable for the poor strata of society. This encouraged migrations as Kashmiris sought a better life outside Kashmir's boundaries (Foreign and Political Department, 1879). However, Kashmiri migrants who settled in other parts of India, especially the Punjab, had to confront negative stereotypes due to their poverty and oppression. Often labeled as 'cowards without dignity', who lacked the courage to stand up for their rights, Kashmiris struggled to adapt to their new environment (Sufi, 1949, 683). In time, many of these Kashmiri families distinguished themselves in different fields. This gave them the confidence to embrace their regional identity and encourage future generations of Kashmiris to take pride in their heritage. In the early part of the twentieth century, writings by Kashmiri Muslims who had settled in Punjab emphasized the need to create a response of resistance instead of

hopelessness. Two prominent individuals living in Punjab – Munshi Muhammad Din Fauq, the editor of *Kashmir Magazine*, and Mohammad Iqbal, the famed poet-philosopher – articulated a discourse that called into question the negative depictions of Kashmiris. They emphasized the greatness of Kashmir's past history and attributed any Kashmiri servility to foreign domination. The goal was to make the Kashmiri Muslim community realize that despite their disadvantages, with education and opportunities they too could escape from this pitiable state and change their destinies (Fauq, 1911, 113; Arberry, 1966, 117–18).

Clearly, within the Muslim community in the early twentieth century, freedom meant improving socio-economic conditions through education and regaining their dignity and self-confidence after cycles of oppression. Putting their ideas into practice, expatriate Kashmiri intelligentsia, based in the Punjab, worked with the religious elites of Kashmir, who had a foothold within the Kashmiri community, to introduce social reforms and education that could improve Kashmiri Muslim social standing. They not only set up scholarships and grants for deserving Kashmiri students, but also initiated the trend of submitting petitions to the Maharaja demanding increased education facilities for the state's Muslims and the induction of far more Muslims into state structures (Muslim Kashmir Conference, 1925, 9–15). By the late 1920s, their efforts had proved successful in creating a new class of Kashmiri Muslims well versed in English education.

In the early twentieth century, while the Muslim community was clamoring for rights from the Dogra regime, the Kashmiri Pandits, an educated but minority community, faced discrimination in securing higher positions in the Dogra administration, since the state reserved the top-ranking jobs for Punjabi Hindus. In an attempt to seek equality in government employment, the community movement 'Kashmir for Kashmiris' demanded reservation of state employment only for *mulkis* (inhabitants of the state). In 1927, the Dogra Maharaja, in an effort to placate the disgruntled Pandit community, passed the Hereditary State Subject Act, later retained in postcolonial Kashmir, allowing only residents of the state to purchase land and seek employment in Jammu and Kashmir (Political Department, 1935).

This act was of significant consequence; it entitled the rising educated Kashmiri Muslim community, smarting under the discriminatory policies of the Dogra state, to demand employment, including representation in state services according to their numbers. The rising political awareness among the Muslim community added a new tone to the Kashmiri discourses on freedom in the 1930s and 1940s and brought into sharp relief the conflicting visions of freedom.

Varied universalisms and Kashmiri freedom: The decades of the 1930s and 1940s

Across Kashmir, simmering discontent among the Kashmiri Muslims created a volatile situation that erupted in 1931 as a mass revolt. Ordinary subjects of the Maharaja came out on the streets challenging Dogra despotism. The state met Kashmiri Muslim resistance with brutal suppression and the Dogra forces killed almost twenty-one innocent civilians (Taseer, 1973, 95–99). This unprovoked firing not only galvanized demonstrations on a large scale, but also provided space for the new middle-class leadership to take over the movement from the old landed and religious elites.

One individual making his presence felt among the elite Muslim leaders was twenty-five year-old Sheikh Mohammad Abdullah. Born in 1905 to a middle-class family of shawl merchants, Abdullah's early education was in a traditional Muslim *maktab* (religious school), where he learned to read the *Quran*. He resisted pressure to join the family business, instead gaining admission to a medical college. His first experience of discrimination occurred when the state refused to provide him with a scholarship for medical school because of his religious background. As one of the first Kashmiri Muslims to obtain a master's degree in science, he hoped to get a scholarship from the Dogra government to study abroad, but was unsuccessful. This marginalization convinced him to initiate a campaign, along with likeminded Kashmiris, to remove the grievances of the Muslim majority (Abdullah, 1985, 20–22). Abdullah's boldness in expressing his views against the despotic Dogra state without fear made him extremely popular among Kashmiris, who fondly referred to him as *Sher-e-Kashmir* (Lion of Kashmir).

In October 1932, he and other upper and middle class Kashmiri Muslims formed their first political organization, the Muslim Conference, with the intention to protect and promote the interests of the Kashmiri Muslim community. Although the organization passed resolutions demanding proprietary rights for the peasantry and a reduction in taxes for the labour class, for the most part their focus was on constitutional reforms and a share in services for the Muslim community proportional to their population (Hussain, 1991). However, the unity among Muslim Conference members did not last long. Personal egos and ideological differences led to a split within the party, as leaders disagreed on strategies to counter outside influences, especially from the Punjab. Furthermore, the contrary positions adopted by the Muslim Conference members on an important debate within the Muslim community – the relationship between shrine worship and Islam – prevented them from uniting and utilizing the initiative provided by the mass upsurge of the 1930s.

As a result, Abdullah's Muslim Conference adopted a 'moderate' stance of presenting memorandums and recommendations to the Dogra state.

In 1934, the Maharaja established the Franchise Commission to give his disgruntled subjects representation in the legislative assembly. Made up of thirty nominated and thirty-three elected members, it provided space for the Muslim Conference members to broaden their organization. However, the Franchise Commission restricted franchise to men paying at least ₹20 a year in land revenue, thereby 'leaving out a large number of the poor, among whom the Muslim Conference had been mobilizing' (Rai, 2004, 274). For the Muslim Conference to win a majority in the assembly, they needed the support of affluent minorities and Muslim elites. The formation of the assembly helped the Muslim Conference to build bridges of understanding with sections of Hindus and Sikhs who were willing to work together with Muslims on a strategy of regional mobilization.

This decision posed new challenges. Throughout the 1920s and early 1930s, the minority Hindu community, comprising 5 per cent of the total population of the Valley but dominating the state services, had viewed with apprehension the political mobilization of the Muslim community. They expressed unhappiness with the Glancy Commission of 1931, a committee established to probe Kashmiri grievances, and its recommendation to increase the number of Muslims in government employment. Their leaders worried that any concessions to Muslim demands would come at the expense of their jobs. As such, Kashmiri Hindu organizations like the Santantan Dharma Young Men's Association and the Yuvak Sabha initiated a Roti Agitation (agitation for bread) that made the preservation of jobs from Muslim encroachment their main priority (Khan, 1980, 463–73). Their hostile stance towards Kashmiri Muslim demands for equal rights caused some internal concern that this move could create an unbridgeable gulf between the two communities. The dissenting voices believed that creating bridges of understanding with the majority community, rather than distancing themselves, was in the larger interests of the Kashmiri Hindu community. The minorities who sought co-operation with Muslims played an influential role in shaping Kashmiri discourses on freedom.

In the late 1930s and early 1940s, the idea of freedom emerged in conversation alongside various internationalisms popular at that time, i.e., nationalism, communism and socialism. Kashmiris well-versed in English education sought to replicate these ideologies in the political fabric of Kashmir to usher in an era of responsible government. One particular individual who was key in

reorienting the Kashmiri Muslim resistance discourse was Prem Nath Bazaz, a prominent Kashmiri Pandit political activist who faced excommunication by his own community, because he decided to support Kashmiri Muslim demands during the Glancy Commission (Bazaz, 2003, 154–55). He established a close friendship with Sheikh Abdullah and his associates and advised them to make their movement broad-based.

This group of ‘progressives’ created a new discourse on freedom that emphasized class differences rather than communitarian divisions. The focus was on promoting ideals of socialism that could improve the indigent situation of the subordinate social classes, lower poverty, improve agricultural development and provide safeguards to the labouring classes. These activists wanted Kashmiris to understand that other resistance movements stemmed not from religious differences, but from the forces of imperialism that curbed the powerless. They believed that a strong focus on the economic issues that confronted poor Kashmiris could relegate religion to the background (Bazaz, 1967, 178). During this period, progressives from both communities made constant efforts to paper over the political, cultural and religious differences that existed between communities.

The influence of secular progressive discourse was not confined to implorations for Hindu-Muslim collaboration. Many educated Kashmiris with leftist orientations, both Hindus and Muslims, wanted to mold the regional struggle based on the secular-socialist ideas of the Indian National Congress. The close contact established between Abdullah and the Indian Congress leaders came to fruition in the late 1930s, as Abdullah wanted to emerge as a ‘nationalist’ leader representing all communities. In 1939, Abdullah decided to change the name of the party from ‘Muslim’ to ‘National’ to widen the scope of his movement and include all religions and classes in its fold. Whereas the old Muslim Conference had demanded rights for Muslims from a Hindu government, the National Conference would couch its demands in terms of class (Hussain, 1991, 445–72).

Nationalist ideology was introduced into public debate to ensure responsible government and the proper representation of all communities in the state administration. Yet, the demand for a responsible government failed to bridge conflicting political positions. Although nationalism in Jammu and Kashmir drew on Western democratic ideals of responsible government, to popularize the concept outside the circle of Western-educated elites, the Muslim leaders continued to associate with religious festivals, shrines and mosques. As C. A. Bayly has argued, Indian nationalism was widely rooted in society and ‘molded by ideologies, political norms and social organizations which derived from deeper

indigenous inheritance' (Bayly, 1998, 116–19). Similarly, Kashmiri discourse on nationalism was built on the region's social complexity more so than derivative discourses on Western nationalism.

Abdullah not only used verses from the *Quran* to mobilize the people, he also drew on older Kashmiri mystic religious traditions to spread his message in rural areas. One of his speeches, published in 'Cry for Justice' (*Elan-i- Haq*), linked the idea of freedom with ethics, humanism and brotherhood: concepts inherent in early texts of Kashmir and integral to a society greatly influenced by the mystic tradition of Islam. He projected the Kashmiri struggle as a war between the forces of good and evil. Evil was defined as, 'all undesirable elements of human life such as slavery, poverty, ignorance, illiteracy and various other causes of human miseries'. This struggle for freedom, he wrote, could only succeed if ordinary men developed strong character, expressed love toward humanity, and endured suffering patiently. The spiritual struggle to be human was explained as one of the key components of Kashmiri freedom (Abdullah, 1942, 3–6).

Additionally, Abdullah used Friday congregations for political mobilization and participated in religious festivals like *Milad-ul-Nabi* (the birthday of the Prophet) and *Miraj-ul-Alam* (the day commemorating the heavenly journey in which the Prophet reached the presence of God) at the Hazratbal mosque to establish ties with both urban and rural Kashmiris (Khan, 1992, 172–87). This element of nationalist ideology firmly rooted in Kashmiri society drew from older regional traditions. Abdullah's instrumental adaptation of nationalism to touch cultural and religious sensibilities was aimed at reaching a wider audience.

The ideology of nationalism, instead of uniting Kashmiris in forging a responsible government, exposed the tensions within and between communities. The minority community raised questions about Abdullah's commitment to nationalism and secularism, as a result of his continued association with Muslim symbols, mosques and shrines. Hindu members of the National Conference wanted Abdullah to disassociate himself from the maintenance of shrines, as he was leading a 'National' organization and not a 'Muslim' organization (Bazaz, 2003, 178–80). Fearful that the nationalism of the National Conference was a facade to ensure majority rule, Kashmiri Hindus came to see the Dogra ruler as the protector of their communitarian interests and disassociated themselves from the National Conference (Bandhu, 1998, 34–37).

The criticism leveled against the National Conference was not restricted to non-Muslims; a section of the urban Muslim community in the Valley and Jammu also disagreed with Abdullah's politics and strongly resisted the 'nationalist' creed.

They saw it as a move to bring Kashmir's politics into the wider orbit of the Indian National Congress and felt that it would ultimately lead to Hindu domination. Many disgruntled state Muslims who had resisted the formation of the National Conference decided to revive the old Muslim Conference after Abdullah failed in uniting the various religious communities within Jammu and Kashmir (Abbas, 1951, 186–87). The leaders of the newly revived Muslim Conference were landed elite and educated middle-class Kashmiris, with very few, if any, rural members. The party pamphlets focused on protecting Muslim elite interests. Conversely, Abdullah, influenced by the communists, reached out to rural Kashmiris to address the economic and social issues faced by the masses.

In the mid-1940s, the feudal structures of the state shaped agrarian Kashmir's response to the rhetoric of freedom. Under the influence of the Indian communists, the National Conference developed the 'Naya Kashmir' manifesto to explain the concept of freedom to peasants and labourers. The manifesto laid out the concept of popular sovereignty, noting that sovereignty lies with the people and states cannot ignore the aspirations of the masses. Its most significant points related to the agrarian economy. The manifesto called for the abolition of feudal structures, especially land grants. It promised that land would be taken from landlords without compensation and distributed among peasants. Essentially, this document defined emancipation as political rights, economic freedom and social justice. However, the manifesto drew criticism from both Muslim Conference elites and Kashmiri Hindus, who opposed the socialist orientation of promising land to the tiller (Abdullah, 1951, 1–44).

Throughout the critical decades leading to the partition of the subcontinent in 1947, the public discourse in the Valley focused on the economic and social aspects of freedom, rather than harping on a political association with either India or Pakistan. An editorial in *Hamdard* defined freedom as building self-reliance and fighting ignorance, superstition and prejudice. The author hoped that with emancipation, Kashmiris would show patriotism toward their homeland but distance themselves from the nationalist ideology that bred inequality, excluded minorities and deprived people of legitimate rights (Bazaz, 12 April 1947).

Even on the question of political freedom, Kashmiris did not have a united vision. The new Muslim Conference had articulated a vision of responsible government under the Maharaja, without association with India or Pakistan (Saraf, 1977, 709–11). The National Conference had been similarly undecided about joining either of the newly created nation-states. In October 1947, Abdullah was speaking in terms of 'freedom before accession' – seemingly unable to come to

terms with the two separate dominion states (*Khidmat*, 1947). However, Indian military intervention in Kashmir that month, in response to a tribal invasion aided by Pakistan, decided the fate of the princely state of Jammu and Kashmir. The Maharaja signed the accession document with India, while Pakistan claimed Kashmir on religious grounds.

Freedom failed: Postcolonial Kashmir, 1947–53

For the inhabitants of the former princely state of Jammu and Kashmir, freedom came at a price – the sovereignty dispute between India and Pakistan turned Kashmir into an international conflict and led to the drawing of an arbitrary cease-fire line that divided Kashmir. Both nation-states claimed legitimacy to rule their side of Kashmir and local political elites offered them support. In the case of Indian-administered Kashmir, Sheikh Abdullah's National Conference supported Kashmir's provisional accession to India, with hopes that India would allow Kashmir to retain its autonomous status. Even though there were different visions for Kashmir's political future before 1947, the National Conference regime claimed to be the sole representative of all Kashmiris, brought to power by the will of the people. This moment of freedom was not what Kashmiris had dreamed of. Challenged by the voices of dissent that disagreed with its ideology, the National Conference created a political culture with zero tolerance for opposition. The party leaders equated freedom with power, denying rights, equality and justice to Kashmiris (Bazaz, 2003; Vaishnavi, 1952).

The chaotic political-social scenario was clearly visible in Kashmiri poetry of the time, which highlighted the broken promises of its leaders. Ghulam Ahmad Mahjoor (1885–1952), who had strongly supported the National Conference prior to 1947, expressed his disappointment at the failed freedom. He was arrested for his poem *Azadi* (Freedom), a satire on the political culture of Kashmir (1972, 74–77):

Freedom being of heavenly birth
 Cannot move from door to door
 You will find her camping in the homes
 Of a chosen few alone

There is restlessness in every heart,
 But no one dare speak out –
 Afraid that with free expression
 Freedom may be annoyed.

(Selections of the poem)

Kashmiris who had actively supported the progressive National Conference during the 1940s started distancing themselves from the echelons of power. Throughout this period, the Indian Government not only ignored popular resentment, but also aided Abdullah in suppressing free expression, as his support was critical to legitimizing India's claim over Kashmir, especially at the United Nations.

Aware of his growing unpopularity, Abdullah prioritized placating the Kashmiri Muslim community and stemming the loss of his social base. In the early 1950s, he decided to transform rural Kashmir by implementing revolutionary agrarian reforms that would empower the peasantry and fulfill his vision of Naya Kashmir (New Kashmir) – a society without class disparities (Government Report, 1948, 9–11). These reforms had a far-reaching impact on communitarian relations, and on Kashmir's relationship with India. As these reforms affected landowners, the majority of whom belonged to the Hindu community, they considered the compulsory acquisition of land without compensation a deliberate ploy to alter their socio-economic status and ensure the domination of the Muslim majority (Ministry of States. 1948). Even though the Home Ministry of India pressured the National Conference to reconsider the land confiscation, as it was contrary to the fundamental rights of the Indian Constitution, the pressure failed to yield any results. Abdullah easily dismissed these requests because Kashmir enjoyed an autonomous position within India.

Meanwhile, the disputed nature of Jammu and Kashmir and the promise of self-determination by the United Nations added to minority insecurities, as they feared that in the event of a plebiscite, the Muslim-majority Kashmir would vote for Pakistan and this would jeopardize their political future. Hindu rightist groups with a strong presence in Jammu played up these fears and launched a virulent agitation under the leadership of the Jammu-based political party, Praja Parishad, against the National Conference, its demand for autonomy and its resulting political partnership with India. The Praja Parishad agitation demanded Kashmir's full integration with India and the abrogation of Article 370, a special article in the Indian Constitution that limited the powers of the Indian Government in Kashmir to three subjects – defense, foreign affairs and communication (*Report Praja Parishad*, 1952, 2–4). In the mid-1950s, India moved toward a centralized state structure that would facilitate national integration, bringing the state ideologically closer to the Hindu rightist parties that advocated complete accession. Tension between the centre and the region exacerbated as Delhi tried to bring Kashmir within its constitutional structures, with the Kashmiri leadership responding by resisting full integration.

Abdullah expressed his frustration against forces of integration in a series of speeches from 1952 onwards, in which he questioned India's secularism and expressed his doubts about Congress' intentions and integrity vis-à-vis Kashmir. In large gatherings, he confessed to Kashmiris that he had committed 'mistakes and blunders in [the] past' but he was not 'prepared to betray his people' (Dominion Office Files, 1947–53). On many occasions, he made it clear that instead of serving as a satellite to either Pakistan or India, Kashmir should follow a path that would lead the state to prosperity. Although he never directly defined freedom, nor gave a definite plan for independence, his pointedly vague statements allowed people to draw their own conclusions. What worried India most was the defiant political atmosphere in the Valley. Dissident groups and the public openly discussed viable solutions for Kashmir, including possibilities of partition with independence for the Valley. The Indian Government decided to take no further risks with their Kashmir policy. On 9 August 1953, under the Public Security Act, Abdullah was dismissed and arrested on charges of corruption, malpractice, disruption and dangerous foreign contact.

This episode in Kashmir's postcolonial history set the tone for Kashmir's future relationship with India. Delhi and Kashmir no longer remained equal partners – from here on, any defiance of New Delhi's absolute authority 'guaranteed political oblivion' (Bose, 2003, 67). Most importantly, Kashmiri Muslims interpreted the undemocratic dismissal of Abdullah, who had challenged Indian might, as an assault on their identity. It was a painful reminder that freedom had failed and India's covert authoritarianism had replaced Dogra despotism. The disappearance of Abdullah, however, left Kashmiris with no choice but complete subservience to Indian interests.

Plebiscite or autonomy: The changing discourse on freedom, 1960s–80s

During the mid-1950s through the 1960s, to ensure the complete integration of Jammu and Kashmir, the Indian state introduced an era of unrepresentative governments in the state, providing them with endless funds to create a supporting structure, thereby producing a class that would profess loyalty to India. State-sponsored regimes in the Valley monopolized all economic benefits and excluded the vast majority, mostly middle and poor classes, from networks of patronage. While the political elites misused government funds to gain riches (Home Department, 1967), the Indian state ignored nepotism and corruption, so long as Kashmir remained economically dependent and politically quiescent.

Marginalized within political structures, the new generation of middle and lower class Kashmiris, educated in universities and colleges, found it difficult to accept the politics of the elites, who practiced misgovernance and equated freedom with personal power.

In the 1950s and 1960s, marginalized Kashmiris launched a plebiscite movement that challenged the tacit assumption of Indian control over Kashmir in Indian nationalist narratives. The Plebiscite Front, formed in 1954 by Mirza Afzal Beg, a lawyer and close lieutenant of Sheikh Abdullah, in league with other 'rebel' members of the National Conference, maintained that the accession of Jammu and Kashmir to India was provisional. The party popularized the slogan of self-determination and encouraged peaceful settlement of this dispute according to the free will of the people through an impartial agency: the United Nations (Beg, 1964, 6).

The support base of the Plebiscite Front comprised poor and middle class Kashmiri peasantry, labourers, custodians of shrines and a few urban families that had been die-hard supporters of Sheikh Abdullah. However, individuals who openly expressed their support for the Plebiscite Front faced persecution. The new regime added stringent laws to its armory of repression. The state could detain citizens for up to five years without informing them of the grounds of detention. The state expanded the police department, creating new police battalions trained in brutal methods of torture. A mafia-style group of thugs called the Peace Brigade assisted the police in inhuman interrogations to silence opposition (*All India Congress Committee Papers*, 1957).

Given this oppressive environment, the Plebiscite Front activists linked the Wilsonian idea of self-determination to the concepts of *haq* (rights), *insaf* (justice) and *izzat* (dignity) inherent in earlier Kashmiri discourses on freedom. Pamphlets and newsletters circulated by the activists defined freedom as the birthright of every individual and implored Kashmiris to sacrifice their lives to attain the dignity denied to them by India and its pliant regimes in the state (Nooruddin, 17 October 1964). Demands for civil liberties, the valuation of human life and the restoration of Kashmiri dignity resonated with those who risked state suppression to join the plebiscite movement.

Meanwhile, a shift in the political climate of the subcontinent in the 1970s brought about a complete change in the political scenario of Jammu and Kashmir. The India-Pakistan War of 1971 led to the dismemberment of Pakistan and the creation of a new state, Bangladesh, and changed the dynamics of power in South Asia, with India emerging as a dominant power. This had a profound impact on the Plebiscite Front, convincing its leaders that the regional balance of power had

swung decisively in India's favour. With these new developments, the primary issue became not whether accession was final but what the status of Jammu and Kashmir would be within India. In 1975, Abdullah signed the Accord with Delhi, which legitimized all measures taken by previous governments to integrate Kashmir with India and negated 'twenty years of intense struggle that Abdullah had led for securing right of self-determination' (*Azan*, 5 February 1973). Delhi invited him to return as Chief Minister of Kashmir, and Abdullah disbanded the Plebiscite Front and recreated the National Conference, a new party acceptable to all three regions of the state – Kashmir, Jammu and Ladakh (Najar, 1988, 51). Although it was a pragmatic political move, this seemingly self-serving power grab tarnished Abdullah's image as a self-sacrificing leader who put the interests of Kashmiris before his own.

In the 1970s and 1980s, the idea of self-determination ceased to be of any relevance – the new slogan of autonomy dominated state politics. Although Kashmiri leaders accepted the reality of Indian sovereignty over Jammu and Kashmir post-1975, the National Conference was keen to retain a separate Kashmiri identity. While Delhi allowed Kashmir to retain the outer shell of Article 370, they expected the National Conference to align with the Congress and share common aims. The political dynamics in the rest of India influenced the treatment of Kashmir. As the Congress grew more insecure in the face of growing regionalism, it became more insensitive to Kashmiri demands. Delhi met the regional dissidence by undermining state governments to ensure that only parties or leaders who toed Delhi's line held power (Abdullah, 1985, 21). The centre-state confrontation exacerbated the problem of bringing the state of Jammu and Kashmir closer to India.

Frustrations among politically excluded Kashmiris increased in 1986 after the National Conference entered into an electoral alliance with the Congress party, which wanted centralization of power. The National Conference chose to give up its traditional role as protector of Kashmiri identity, and Farooq Abdullah, the leader of the National Conference, damaged the party's image as an instrument of Kashmiri protest (Puri, 1993, 52). In the 1987 elections, many disgruntled Kashmiri Muslims – the educated and unemployed youth and the petite bourgeoisie, i.e., owners of small businesses and orchards – offered their support to the Muslim United Front (MUF), a religio-political organization set up to resist unwarranted interference by the Indian Government in affairs of the state. The National Conference–Congress alliance, in collaboration with the bureaucracy and the police, subverted the democratic process and rigged the

elections. Thereafter, the government chose to gag the opposition on grounds of secessionism and suppressed every form of protest, even those related to administrative and economic issues (Rehmani, 1982, 263–65).

The cry for *aazadi*: Kashmir in the 1990s

In the late 1980s, a small group of Kashmiris who had lost faith in Indian democracy decided to take the long-standing conflict between India and Pakistan to a new level. These individuals, mostly jailed MUF political activists, collectively decided to go to Pakistani-administered Kashmir in search of training and weapons. Inspired by the ideology of the Jammu Kashmir Liberation Front (JKLF), a party that advocated for an independent Kashmir, these individuals, with the support of Pakistan intelligence agencies, initiated an armed rebellion in the Valley and popularized the slogan of *aazadi* (Khan, 1992, 131–41).

In the early stages of the insurgency, ordinary Kashmiris who had suffered decades of political suppression admired the JKLF insurgents, who were willing to stake their lives for Kashmiri rights. This new feeling of empowerment was evident from the public discourse of that period. An editorial published in *Srinagar Times* emphasized that Kashmiri Muslims were neither cowards nor terrorists. Their resistance, the author claimed, was not terrorism, but an expression of dissent against authorities that had for generations suppressed political expression. The editorial suggested that the only way India could restore the confidence of Kashmiri Muslims would be to provide them with rights and treat them as equal citizens (*Srinagar Times*, 11 March 1989).

The Indian state, however, adopted draconian laws such as the Armed Forces (J&K) Special Powers Act and the J&K Disturbed Areas Act, which provided the military with extraordinary powers to crush any form of resistance. The failure of the armed forces to differentiate between insurgents and civilians while protecting national security alienated Kashmiri Muslims. The killing of almost a hundred unarmed civilians, including women and children, protesting the excessive use of force during search operations at Gawkadal in Srinagar city, had a deep impact on ordinary Kashmiris (Hasan, 1992, 80–85). Basharat Peer's *Curfewed Night*, an autobiographical narrative, captures how stories of rape, violence and killings radicalized teenage Kashmiris. It provides insights into how young boys, deeply shaken by these atrocities, 'crawled past bunkers of the Indian troops' and trekked past Indian check-posts to reach the training camps in Pakistani-administered Kashmir. A new euphoria had gripped the youth and the notion of restoring 'honor' and 'dignity' became intertwined with the concept of *aazadi* (2010).

The rhetoric of *aazadi* did not hold the same appeal for the minority community. The rise of insurgency in the region created a difficult situation for the Kashmiri Hindu community, which had always taken pride in their Indian identity. Self-determination was not only seen as a communal demand, but as a secessionist slogan that threatened the security of the Indian state. The community felt threatened when Kashmiri Muslims under the flag of *aazadi* openly raised anti-India slogans. The 1989 targeted killings of Kashmiri Hindus who the insurgents believed were acting as Indian intelligence agents heightened those insecurities. In the winter of 1990, the community felt compelled to mass-migrate to Jammu, as the state governor was adamant that in the given circumstances he would not be able to offer protection to the widely dispersed Hindu community. This event created unbridgeable differences between the majority and the minority; each perceived *aazadi* in a different light. This is evident from the verses of Lalita Pandit, a literary scholar, who summarized her understanding of *aazadi* in the following selected verses (1995):

To the women who love them [insurgents]
 they tell nothing except that
 one day Aazadi will arrive
 at everyone's doorstep.
 Life will become prettier, more
 honorable, more pious.

Who are these men?
 I would like to ask you.
 why their dream of Aazadi
 excludes me, and my people

(Selections of the poem)

Facing homelessness, the Hindu community regarded *aazadi* as an exclusionary slogan, supported by a majority community, and one that left no space for their aspirations.

Meanwhile, by the mid-1990s, the Muslim community, drawn into the armed insurgency against India, found themselves squeezed between India's counter-insurgency machine and Pakistan's strategy to mold the insurgency to their own interest. The counter-insurgency operations unleashed by the Indian army led to extra-judicial killings on a large scale (Report, 1996, 1–10). At the same time, Pakistan abandoned JKLF, a group that advocated for an independent Kashmir,

to support Islamist militant groups that would provide a religious rationale for Kashmir's accession to Pakistan and define the armed struggle against India as a holy war – a *jihad*. This gave a new twist to Kashmiri resistance (Sikand, 2001, 165–204). Furthermore, many anti-social elements from the 1970s' and 1980s' rackets of drug dealers joined the insurgency to make quick money. The criminalization of the movement made life unbearable for Kashmiris, as many militants subjected civilians to intimidation and extortion (Schofield, 1996, 267–68). An element of fatigue and war weariness crept in among the people. Interpreting Kashmiri disillusionment with insurgency as their rejection of *aazadi*, Delhi held several elections in the state that witnessed a high voter turnout in the late 1990s and early 2000s. Although the Kashmiris saw the election as a way to use the government to gain roads, schools, health centres and jobs, the Indian media projected it as the Kashmiri Muslim reconciliation with Indian rule (Navlakha, 2009, 10–12).

This conclusion conveniently overlooks the presence of the 6,00,000 to 7,00,000 security forces currently in the Valley – armed with the Armed Forces Special Powers Act (AFSPA) – that allows the Indian military to carry out unrestrained detentions, surveillance and torture of its own citizens. The militarization of the Valley produces a strong reaction among Kashmiri youth who challenge India's presence in the Valley not just through demonstrations but also through their art and music. This is evident from the following verses by Roshan Illalhi (aka M. C. Kash), a young Kashmiri rap artist (Kash, 2012):

Wounded and hurt, forgotten since birth
I'm dreaming and living for freedom and worth
Gagged by the boots yet my cries still resonates
Dragged in the fields yet my heart still levitates

I choose the cause over a life of lies
And no matter what it holds my struggle won't die.
(Selections of the Song)

The human rights violations in the Valley reinforce a perception among Kashmiri youth of India as an occupying power and further alienates them. This has not only strengthened the Kashmiri demand for *aazadi*, but has also led Kashmiris to link it to the value of human life and dignity – concepts that defined the earliest Kashmiri discourses on freedom.

Conclusion

Tracing the key shifts in the meaning of *aazadi* from the early twentieth century to

the present reveals that Kashmiris had myriad visions about their political future, but they always imagined freedom as the presence of justice and rights that could improve human relationships and lay the foundation for a strong society. Freedom as defined prior to 1947 remained unfulfilled as the postcolonial nation-states of India and Pakistan focused on territorialization and putting into place a socio-political system that not only failed to redress the economic, political and cultural grievances of Kashmiris, but also went out of its way to suppress free expression.

Although the idea of freedom became linked with the political demands of plebiscite or autonomy between the 1960s and 1980s, the concepts of justice and honour remained an important component of Kashmiri discourse. These ideas gained strength after the rise of armed insurgency in the state and the human rights violations that followed thereafter. Furthermore, the insistence in Indian nationalist narratives on deconstructing the sentiment of *aazadi* by highlighting the ideological divisions within Kashmiri voices of resistance only produced a counter-nationalist response; Kashmiri Muslims interpret the denial of *aazadi* as a callous disregard for the hundreds and thousands of human lives lost in pursuit of this ideal. An analysis of Kashmir's social-political history reveals that the slogan of '*aazadi*' for Kashmiris has a much deeper meaning than mere political freedom. The concept of *aazadi* stems from the desire to live freely with dignity in one's homeland, without constraints or impositions. It is a sentiment that envisions a society free from social hierarchies and economic disparities, a society based on faith and trust – one that respects differences, allows criticism and values human dignity.

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Part II

POLITICS

Azad Kashmir

Integral to India, Integrated into Pakistan, Lacking Integrity as an Autonomous Entity¹

Christopher Snedden

Introduction

The dispute over the international status of Jammu and Kashmir (J&K) did not start the way that most Indians and many Pakistanis say it did. For them, violence began in the polyglot princely state when Pukhtoon tribesmen coming from Pakistan invaded J&K's Kashmir Province on 22 October 1947.² These Pukhtoons, almost certainly sent by Pakistani officials, wreaked havoc as they headed for Srinagar, ostensibly to capture the ruler of Muslim-majority J&K and his summer capital for Pakistan. Distracted by their looting, raping and killing of locals, the tribesmen failed on both counts. India ensured this failure by dispatching its military to J&K to help Maharaja Hari Singh defend 'his' princely state of which, increasingly, he was losing control. The Indians did so after the Maharaja duly acceded to India on 26 October 1947. Pakistan claimed this accession was based on 'fraud and violence' (*Keesing's Archives*, 1947). India's military arrived in Srinagar the next day – and has remained in J&K ever since.

This is India's version, in which Pakistan has surprisingly often acquiesced. It is incorrect. The Pukhtoons' invasion of Kashmir Province neither initiated violence in J&K, nor instigated the dispute over J&K's international status. Before Hari Singh's accession to India, the people of J&K – or J&K-ites, as I call them – had taken three significant actions themselves. These actually instigated the so-called 'Kashmir dispute' (Snedden, 2012, 37–63). First, soon after the British partitioned India on 15 August 1947, and possibly beforehand, Muslims in the *jagir* of Poonch, a semi-autonomous region in western Jammu Province, began an anti-Maharaja uprising. Muslims in the neighbouring southerly Mirpur District soon joined them. Ostensibly, these Muslims objected to the Maharaja's excessive taxation, with Poonchis particularly aggrieved because their local ruler also taxed

them. Equally, they were seeking to ensure that the princely state, weakened significantly by its loss of support from the departing paramount power (the British), would join newly-created Pakistan, not India.

Second, significant inter-religious violence occurred in Jammu Province in September-October 1947 between pro-Indian Hindus and Sikhs, who were numerically strongest in the province's eastern parts, and pro-Pakistan Muslims, who dominated its west. While all communities suffered through death, destruction and dislocation, arguably Muslims in eastern Jammu suffered most of all. And third, on 24 October 1947, Muslim 'rebels' in the 'liberated' western areas of Jammu Province and Kashmir Province declared the formation of the Provisional State of Azad (Free) Jammu and Kashmir. These areas were not 'free' in the sense of being independent; rather, they were free from the ruler's (and later, India's) control. Called 'Azad Kashmir' for short, this chapter discusses this little known region.

It is important to understand Azad Kashmir, both as a region and in the context of the Kashmir dispute, for a variety of reasons. Azad Kashmir is J&K's third most populous region, with significant water assets and hydro-electricity ('hydel') capacity. It is also J&K's least reported or discussed region, and this despite people in this area instigating the fight over J&K's international status in 1947, and despite the creators of Azad Kashmir considering their entity to be the legitimate government for all of J&K. Inexplicably, both they and their pretension have been little known, overlooked, or ignored. Nevertheless, because of their strong pro-Pakistan convictions and martial capabilities, Azad Kashmiris would need to be considered should India and Pakistan ever seek to unilaterally impose a dispute resolution on them. They have been, and remain, at the heart of the Kashmir dispute.

What Azad Kashmir comprises

The 'State of Azad Jammu and Kashmir', as it is officially called, comprises a thin sliver of territory in southwestern J&K. It is wedged between Indian J&K (comprising Jammu, the Kashmir Valley and Ladakh) to its east, Pakistan to its west and south, and Gilgit-Baltistan (formerly the Northern Areas, which with Azad Kashmir comprises Pakistan-administered J&K) to its north. Only Pakistan is easily accessible. When Azad Kashmir came into existence, its boundaries were unknown and uncertain. Significant violence was then occurring throughout J&K as various people and factions fought for their personal freedom and safety and/or to ensure that J&K joined the newly-created dominion of their choice—

either India or Pakistan. On 1 January 1949, a United Nations-brokered ceasefire ended fighting between pro-Pakistan elements and Indian forces, which brought considerable stability to J&K. This enabled a census to be conducted in Azad Kashmir in 1951. It determined that the region's area was 4,494 square miles. Administratively, this comprised three districts, which retained the same names as during the Maharaja's regime: Muzaffarabad (north), Poonch (centre) and Mirpur (south). Respectively, these districts comprised 87 per cent of the former Muzaffarabad District; 60 per cent of the former Poonch *jagir*, minus Poonch City, Poonch's capital, which India controlled; and, 89 per cent of the former Mirpur District. Each had borders with westerly Pakistan, with whose people Azad Kashmiris had considerable geographical, historical, ethnic, cultural and economic connections (Ahmad, 1952, 12).

Azad Kashmir has some peculiarities worth mentioning. First, it comprises territory that ranges from the foothills located at the end of the Punjab plains in Mirpur District at an altitude of 360 metres, through hilly-to-mountainous territory rising to 6,325 metres in Muzaffarabad District. Because this terrain is difficult, the easiest way to travel between Muzaffarabad in the north and Mirpur in the south has always been via (Pakistani) Punjab, rather than via poor or non-existent roads through Azad Kashmir itself. This remains the case today (Planning, 2014, 4). Similarly, Azad Kashmir's size – it is 200 miles (320 kilometers) long and 45 miles (72 kilometers) wide, at its widest (Ahmad, 1952, 32) – has meant that many areas are located close to the ceasefire line/Line of Control (LOC). People located in these areas have always been vulnerable to attacks by Indian forces.

Much of Azad Kashmir is uncultivable. In 1951, of 2.9 million acres, only 5,27,000 acres (18 per cent) was assessed for land revenue. Mirpur District had the most cultivable land, with 2,69,000 acres (30 per cent); Poonch District had 1,51,000 acres (24 per cent); Muzaffarabad District had 1,07,000 acres (8 per cent) (Snedden, 2012, 167). Most landholdings were small, non-irrigable and with poor soil. This remains the case, with 87 per cent of households having 'very small land holdings between one to two acres' (Planning 2014, 67). Consequently, Azad Kashmir was, and is, heavily dependent on Punjab for food imports, particularly grain.

Similarly, Azad Kashmiris have been dependent on external employment opportunities. In 1947, some 50,000 ex-servicemen from the (British) Indian Army lived in southwestern J&K and many Mirpuri men served in the merchant navy (Snedden, 2012, 250–51). This area was also dependent on Pakistani Punjab because it was easier to travel westwards to Murree, Rawalpindi, or Jhelum town than eastwards to Jammu or Kashmir provinces. The 1949 ceasefire exacerbated

this situation as it severed major eastern connections, particularly the popular all-weather Jhelum Valley Road that carried tourists and trade from Rawalpindi via Domel (near Muzaffarabad) to Srinagar.

By 2014, with a projected population of 4.36 million (8,86,000 in 1951), Azad Kashmir had 'grown' in area to 5,134 square miles (13,297 square kilometers). Possibly, this was due to more accurate mapping. Conversely, the cultivable area had shrunk, probably due to urbanization: 1,94,260 hectares (2,13,000 hectares in 1951), or 13 per cent of the region's total area, 92 per cent of which is non-irrigable (Ahmad, 1952, 12; Planning, 2014, 67). Importantly, the Forests Department controlled 43 per cent of Azad Kashmir, with timber a traditional major export (Planning, 2014, 77). The region had three divisions, each bearing the same name as the 1947 districts: Muzaffarabad, with three districts (Muzaffarabad, Neelum, Hattian) and seven subdivisions; Poonch with four districts (Bagh, Haveli, Poonch, Sudhnoti) and fourteen subdivisions; Mirpur, with three districts (Mirpur, Kotli, Bhimber) and eleven subdivisions (Planning, 2014, 10).

Azad Kashmir: Its creation and composition

The Provisional State of Azad (Free) Jammu and Kashmir came into being on 24 October 1947 when a group of 'rebels' announced its formation in the 'liberated' areas of southwestern J&K. Their declaration followed an earlier unsuccessful attempt on 4 October by 'patriotic but timid Muslim Conference workers' inspired by events in Junagadh where (pro-Indian) elements established a provisional government on 1 October (Snedden, 2012, 59). A number of factors stimulated the creation of the anti-Maharaja Azad Kashmir movement. One was religion, with the 1941 Census of India finding that most people in southwestern J&K were Muslims: 80 per cent in Mirpur District, over 90 per cent in Poonch and 92 per cent in Muzaffarabad District (Snedden, 2012, 240, 242). Second, many Poonchis disliked, even hated, the ethnic Dogra Hindu ruler of J&K, Maharaja Hari Singh and his autocratic, repressive regime. Particularly, they disliked his heavy taxation, his sidelining of the local Raja of Poonch, and the stationing of the Hindu-dominant J&K Army from 1938 following its suppression of an uprising by Sudhans, a major Poonchi tribe (Snedden, 2012, 30–31). Around the time of partition, many Poonchis were apprehensive about the J&K Army's increasing local presence. They feared for their safety after it disarmed all Muslims, including ex-servicemen whose capabilities concerned the ruler, then redistributed these arms to local Hindus and Sikhs.

Finally, the process of creating India and Pakistan agitated people. The political,

social and religious turbulence in neighbouring Punjab spilled over into Jammu Province where pro-Pakistan and pro-Indian Jammu-ites, apart from engaging in interreligious 'activities', sought to ensure that J&K joined their country of choice. Increasingly, this struggle involved violence, which Muslim Poonchis were partly, but not wholly, responsible for propagating.

These various factors, particularly fear, motivated Muslims in the Poonch area, many with martial experience, to defend and protect themselves, their families and their lands. They rearmed with weapons and ammunition obtained from arms bazaars in the North West Frontier Province (NWFP), then organized themselves into a militia, the Azad Army, of some 50,000 men, including many seasoned ex-servicemen (UNCIP, 1949, 49, 51, 70–71). Concurrently, local leaders and politicians in the All J&K Muslim Conference, which was allied with Muhammad Ali Jinnah's Muslim League, organized resistance via a War Council. Locally, the Muslim Conference was more popular than the secular All J&K National Conference, which had links with the Indian National Congress and was very popular in the Kashmir Valley, but which rejected J&K joining Pakistan simply on the basis of religion.

Initially, the Muslim Conference sought a constitutional monarchy for J&K, possibly to curry favour with the ruler who was still to determine the state's accession (Snedden, 2012, 25–26). From 22 July 1947, however, this party unequivocally advocated J&K joining Pakistan after its acting President called on Maharaja Hari Singh to accede to this dominion. Sardar Mohammad Ibrahim Khan, then a little-known Poonchi serving in the toothless J&K Praja Sabha (People's House), had convinced 200 Muslim Conference members to reverse the party's stance. Thereafter, the Muslim Conference found it increasingly difficult to operate in Kashmir, the princely state's political centre. It lacked a high-profile Kashmiri-speaking leader. Its members were being harassed by rival National Conference activists, whose party's popularity and pre-accession stocks were increasing. This was boosted when the regime released the jailed Kashmiri leader and head of the National Conference, Sheikh Mohammad Abdullah, on 29 September 1947. Concurrently, the regime kept the Muslim Conference's leader, Chaudhry Ghulam Abbas, incarcerated for a further five months.

After the euphoria in southwestern J&K over Pakistan's creation and given a local expectation that J&K would soon join this new dominion, matters deteriorated. According to Sardar Ibrahim, the Maharaja unleashed a 'reign of terror' on 24 August that killed 500 people (Izzatullah, 1949, 72). On 2 September 'shoot-on-sight' orders apparently were issued to J&K Army officers.

These actions motivated more Poonchis to take up arms and fight – as some saw it – for their survival (Saraf, 1979, 848). Thereafter, these ‘rebels’ became better organized. Conversely, the Maharaja’s Hindu-dominant forces, fighting among an increasingly hostile Muslim population, lost control of much of Poonch, then parts of neighbouring Mirpur and Muzaffarabad districts.

On 22 October 1947, Pukhtoon tribesmen invaded Kashmir Province. This buttressed the anti-Maharaja/pro-Pakistan forces’ hold of the ‘freed’ areas. Sardar Ibrahim and Azad Army forces facilitated this invasion, including by inspiring Muslim soldiers in the J&K Army stationed in Domel to revolt. Two days later, Ibrahim and his ilk tentatively declared the formation of Azad Kashmir. Ambitiously, this entity, as the *Civil & Military Gazette* reported on 25 October 1947, was ‘assuming the administration of the [whole] state’. The probable plan was to take over after the Pukhtoons captured the Kashmir Valley for Pakistan.

These actions all preceded – and provoked – Maharaja Hari Singh’s accession to India on 26 October 1947, after which the Indian Army arrived in J&K. The Indian Army opposed all pro-Pakistan elements – the Azad Army, Pukhtoons, Gilgitis after their anti-Maharaja uprising in November 1947, then Baltis soon after, and, from May 1948, the Pakistan Army – until the 1949 ceasefire took effect. Thereafter, J&K was effectively divided into Indian and Pakistan-administered areas (Snedden, 2015, 175–86).

Azad Kashmir’s relationship with Pakistan

Even though Azad Kashmir had highly motivated personnel who operated in familiar environments among a supportive population in 1947, the region had significant shortcomings. Pakistan and/or Pakistanis helped to fill – and continue to help to fill – some of these gaps. First was insufficient strategic depth. Because Azad Kashmir initially lacked an urban capital, the accessible Punjabi towns of Murree and Rawalpindi, with their army cantonments, were important. However, to show that theirs was a truly indigenous movement, Azad Kashmiris moved their capital to thick forests around Palandri, southern Poonch. The Indian Air Force’s heavy, unopposed strafing and bombing forced them to relocate to even thicker forests at Trarkhel, further east. In 1949, ‘war-battered’ Muzaffarabad became the capital. Travelling via, and working with, Pakistan also enabled Azad Kashmiris to communicate, co-ordinate and operate in these remote areas with minimal facilities against Indian forces (Snedden, 2012, 142–46).

Azad Kashmiris also suffered from a severe lack of trained and educated personnel, especially administrators. Resources and finances were scarce:

militiamen often had to first capture weapons, then fight, and most bureaucrats had to hand-write all documents. Pakistan and its army partially alleviated these problems by providing some resources and by granting soldiers leave to return and defend their homes, land and families. Pakistan also 'lent' officials as administrators, a practice started by the J&K State for Poonch *jagir* that Pakistan continues to this day. Finally, while the Azad Army was able to hold the 'freed' parts of southwestern J&K in 1947, the Pakistan Army's support became invaluable thereafter. Indeed, its intervention in 1948 prevented the Indian forces' steady advance from overwhelming the pro-Pakistan forces in J&K.

While Pakistan provided material assistance to Azad Kashmir, it did not provide political support. Azad Kashmiris' major complaint was that Pakistan chose not to recognize the Azad Kashmir Government as the legitimate government for all of J&K – despite the Azad Kashmiris' desire to join Azad Kashmir, and ultimately all of J&K, with Pakistan. This factor, plus the perceived 'loss' of Gilgit-Baltistan, which had actually always been politically and administratively separate from Azad Kashmir, devalued the Azad Kashmir movement. Internationally, it appeared to be less of a rival than the high-profile National Conference-led government operating in Indian-controlled J&K with strong Indian support. Indeed, Azad Kashmir detrimentally became known as a 'local authority' with limited power, control and influence, and heavily overseen by Pakistan.

In 1947, Karachi (Pakistan's capital until 1960) was busy with numerous post-partition challenges. However, Azad Kashmir's 'demotion' related to the paramount issue of Pakistan obtaining all of J&K via a plebiscite of J&K-ites, which, given J&K's Muslim-majority population, Pakistan expected to win. If Karachi unilaterally absorbed Azad Kashmir without consulting its residents via a poll, this would have created a precedent for other regions of J&K to emulate. Pakistan resolved this dilemma by choosing to 'administer' 'its' two areas of J&K until the United Nations plebiscite determined their international status, rather than fully, legally and unilaterally incorporating them into Pakistan. Therefore, Azad Kashmir and Gilgit-Baltistan are not *de jure* a part of Pakistan – although their links, connections and dependencies make both a *de facto* part this country.

Azad Kashmiris quickly, and willingly, accepted the 'demotion' of their region, plus more. This was what was required for J&K to join Pakistan. Even so, in the post-partition uncertainty, confusion and military tumult in J&K, Azad Kashmiris enjoyed considerable autonomy. Until mid-1948, their leaders, chiefly Sardar Ibrahim, were involved in United Nations' attempts to resolve the Kashmir dispute as part of the Pakistan delegation. Things started changing after the Pakistan

Army's concurrent official arrival in J&K. While its presence thereafter protected Azad Kashmiris, it also brought the Azad Army under its control, subsumed parts of it and disbanded the remainder after the 1949 ceasefire. This effectively ended any Azad Kashmiri military capability to unilaterally 'free' all of J&K – although Azad Kashmiris nevertheless continued to call their region the 'base camp to liberate [Indian] J&K' (Snedden, 2012, 347, footnote 200). The Pakistan Army even suppressed Azad Kashmiris, especially the serious uprisings in 1950 and 1955 led by Poonchis disgruntled with the 1950 sacking of Ibrahim, heavy handedness and the lack of a plebiscite.

In January 1949, realizing that the J&K issue had become more complex despite Hari Singh's accession, Karachi created the Ministry of Kashmir Affairs (MKA). Based in Rawalpindi, it was headed by an imperious bureaucrat, M. A. Gurmani. His superior nature set the tone for future Pakistan-Azad Kashmir relations. In April 1949, the MKA formalized a 'Heads of Agreement' signed by Gurmani, Azad Kashmir's President Ibrahim and the Muslim Conference's President, Ghulam Abbas. This delineated the responsibilities and functions of their respective organizations and financial arrangements between the central government and the region. The Pakistan Government took responsibility for the most important matters: defence; foreign policy, including negotiations with the United Nations and the plebiscite; Gilgit and Baltistan; and, all activities by J&K-ites within Pakistan. The administration – which still hoped to govern all of J&K after the UN plebiscite delivered it to Pakistan – and the Muslim Conference, received minor responsibilities for administration and political matters.

Gurmani was a superb manipulator. However, Ibrahim, a relative political newcomer, and Abbas, the long-standing party leader, readily agreed to this arrangement. Apart from their blind support for Pakistan, they were rivals conspiring to limit the other's power. Their 'dynamic' – and Azad Kashmiris' inability to politically unify – empowered the MKA. Thereafter, its bureaucrats effectively ended Azad Kashmiris' self-governing status, brought them under Pakistan's control and confirmed the region's status as a (disempowered) local authority – as the United Nations itself concluded in 1948 (Snedden, 2012, 78). Azad Kashmiris disliked, but endured, MKA officials' often tardy treatment of them as this was the price to pay to join Pakistan. Equally, Karachi was distant, India was totally unattractive and there were no other options.

From 1949, therefore, Azad Kashmir increasingly came under Pakistan's control. The MKA furthered its dominance of Azad Kashmir in 1952 by revising the region's relatively liberal 'Rules of Business' written by Ghulam Abbas in

1950 in lieu of a formal constitution. The old Rules had ensured his and the Muslim Conference's dominance over Sardar Ibrahim and the Azad Kashmir administration, with Abbas deemed to be Supreme Head of the Azad Kashmir movement. The 1952 Rules abolished this position. Additionally, they made it abundantly clear that the MKA was legally, administratively and practically overseeing – but actually was in control of – the Muslim Conference, the Azad Kashmir movement and the region itself. The MKA was mentioned fifteen times in this document. It was to be consulted on all matters, it appointed all senior officers and it approved all laws. This body, plus five Pakistani 'lent officers' serving in senior positions in Azad Kashmir's administration (Secretary General/Chief Secretary, Finance Secretary, Accountant-General, Inspector-General of Police and Chief Engineer/Development Commissioner), plus the Pakistan Army's presence, meant that Pakistan tightly controlled Azad Kashmir (Snedden, 2012, 162).

A major change occurred in 1970 when General Yahya Khan's military administration, distracted by events in East Pakistan, granted Azad Kashmir a rudimentary constitution that enabled its residents to be effectively and democratically consulted. 'The Azad Jammu and Kashmir Government Act, 1970' provided Azad Kashmir with a presidential system of government, an elected legislative assembly and considerable autonomy. It delivered the most autonomy ever enjoyed by this region – or by any region in J&K. Surprisingly, Pakistan controlled only foreign affairs, defence and currency, while central ministries, not the MKA, were to treat the region like any other province of Pakistan (Gilani, 1988, 165–204).

The 1971 India-Pakistan War changed everything, both in J&K and in Azad Kashmir. J&K-ites, including Azad Kashmiris, realized (as did many Pakistanis) that Pakistan's military forces could not defeat India militarily, including in J&K. Zulfikar Ali Bhutto, the charismatic Chairman of the Pakistan People's Party (PPP), became Pakistan's leader. In 1972, he signed the Simla Agreement with India's Indira Gandhi, after which all India-Pakistan matters would be dealt with bilaterally. Possibly, they also concluded a secret agreement to resolve the Kashmir dispute by making the LOC dividing J&K into the international border, with Pakistan to legally incorporate Azad Kashmir as a province. Reflecting Pakistan's reconstituted prime ministerial system, Bhutto, with some local support, imposed the 'Azad Jammu and Kashmir Interim Constitution Act, 1974' on Azad Kashmir. It supposedly was 'interim' until the Kashmir dispute was resolved.

The Interim Constitution reformatized the relationship between Pakistan and

Azad Kashmir. It allowed Azad Kashmiris a directly-elected Legislative Assembly based in Muzaffarabad. It granted them the smaller indirectly-elected Azad Kashmir Council in Islamabad whose members comprised Azad Kashmiris and senior Pakistanis, including Pakistan's 'Chief Executive' (Prime Minister/Chief Martial Law Administrator). This unique bicameral arrangement reduced the MKA's power and gave Azad Kashmiris direct access to senior Pakistanis – on the few occasions when the Azad Kashmir Council meets each year. The renamed Minister for Kashmir and Northern Areas Affairs remained significant: he was ex-officio on the Council, his administration collected the region's taxation and it dispensed largesse to this deficit area. The Interim Constitution also ensured that Azad Kashmiris' 'lot' was with Pakistan: any person seeking office must swear to support J&K's accession to Pakistan. More pointedly, its Third Schedule specified 52 matters that the Pakistan-dominated Azad Kashmir Council would control. The Legislative Assembly could legislate on the remaining matters, which comprised municipal-type functions. This diminution confirmed Azad Kashmir's status as a local authority (Interim Constitution, 1997, 16–25, 56–59.) The Interim Constitution remains in place.

Azad Kashmiris' relationship with Indian J&K and overseas Pakistanis

Azad Kashmiris have few connections with Indian J&K. Legally, they supposedly are Indians as India claims that 'the entire State of Jammu and Kashmir is an integral part of India' (Singh, 2016), based on Maharaja Hari Singh's accession to India in 1947. From its inception, the Azad Kashmir Government not only was free from the Maharaja's, then Indian, control but also it claimed to be the legitimate administration for all of J&K. Rapidly and effectively, the Indian J&K Government usurped this title. Concurrently, Muslim Conference politicians had to flee Indian-controlled areas or operate underground. Fighting in J&K in 1947–48 severed major connections between Azad Kashmir and Indian J&K, including the Jhelum Valley Road to Srinagar, the link to Poonch City and roads to eastern areas of Jammu. The 1949 ceasefire entrenched J&K's division when the subsequent ceasefire line was militarized.

In the early post-partition years, politicians on both 'sides' of J&K had little desire to contact each other. Instead, they deferred to their country of choice and to the United Nations to resolve the dispute over J&K's international status. Many Azad Kashmiris believed that the UN plebiscite would soon resolve this issue. When this failed to happen, and after New Delhi and Karachi sidelined

them by 1949, some frustrated J&K-ites possibly sought to contact each other. In 1951, rumours circulated that Sheikh Abdullah and Ghulam Abbas were trying to conclude an internal settlement to the Kashmir dispute. They finally met in 1964 when Abdullah, with Nehru's blessings, made the first official visit since 1947 to the 'other side' by a J&K political leader. Nehru's unfortunate death while Abdullah was in Muzaffarabad ended the Kashmiri's sensitive mission to encourage Pakistan to negotiate with India over J&K's status. The next year, believing that the Kashmir Valley was ripe for rebellion, Pakistan infiltrated provocateurs into Indian J&K to foment an anti-Indian uprising. This resulted in the stalemated 1965 India-Pakistan War – and the permanent separation of J&K for forty years thereafter (Snedden, 2012, 94–95).

In 2005, with India-Pakistan relations much improved, people who enjoyed 'state subject' status (as legitimate J&K residents, as per the Maharaja's 1927 law) in Azad Kashmir and Indian J&K were officially allowed to access the other side via crossing points, connecting bus services, or limited barter trade (Snedden, 2015, 130, 259). These people-to-people contacts continue and some 25,000 J&K-ites have visited each other. Otherwise, the only contacts seem to be political links, with Azad Kashmiris and anti-India Kashmiri militants living in Azad Kashmir discussing J&K matters with the Srinagar-based All Parties Hurriyat Conference (Snedden, 2012, 198).

The Azad Kashmir election process ties the region to refugees from J&K living either in Pakistan or overseas. Both groups are entitled to representation in the Azad Kashmir Legislative Assembly: Kashmir Valley refugees elect six representatives; refugees from Jammu and other J&K locations elect six; overseas state subjects have one indirectly-elected seat. This arrangement has skewed elections results, chiefly because Kashmiri seats comprise small electorates while Jammu seats are large. On occasions, Pakistanis have also 'manipulated' these 'external' elections to their advantage. Otherwise, overseas 'Pakistanis', including some 4,50,000 located in the United Kingdom whose forebears came from Mirpur, remit large amounts of money to Azad Kashmir, via Pakistan. Because their status is unresolved, Azad Kashmiris travel on Pakistani passports. They must carry Pakistani National Identity Cards within Pakistan and Azad Kashmir (Snedden, 2012, 130, 183–84).

Internal politics

From the outset, three matters confronted and confounded Azad Kashmiris: the Muslim Conference's role in the issue of resolving J&K's international status;

leadership of this party, which was superior to the Azad Kashmir administration and which appointed the Azad Kashmir President; and, which individual should be granted the region's presidency. The MKA resolved the first matter when, soon after being formed, it effectively ended the Muslim Conference's superior position in Azad Kashmir and sidelined Azad Kashmiris from attempts to resolve the Kashmir dispute. The Muslim Conference nevertheless retained its position as Azad Kashmir's sole political party. This situation provoked rivalry, fractiousness and a debate about whether to develop a democratic political system or subordinate this to the freedom movement. Two major factions formed, one around Ghulam Abbas, who wanted first to liberate J&K, and the other around Sardar Ibrahim, who preferred to develop a democracy. Ethnic Kashmiris formed a smaller third faction around the religious leader, Mirwaiz Yusuf Shah, originally from Srinagar, and later K. H. Khurshid. This factional dynamic, coupled with MKA interference, set up a dynamic of rivalry and ambition that continues to this day.

Desiring to please MKA bureaucrats and needing to display ethnic inclusivity to Kashmiris, Azad Kashmir accordingly had seven presidents from 1950–59. These comprised: Sardar Ibrahim (1947–50), Colonel Ali Ahmad Shah (1950–51), Yusuf Shah (1951–52), Colonel Sher Ahmad Khan (1952–56), Yusuf Shah again (1956), Sardar Abdul Qayyum Khan, an Abbas protégé and supposed 'first *mujahid*' (freedom fighter; 1956–57), and, Ibrahim again (1957–59). Ethnically, these men were Poonchis, except for Ahmad Shah, a Mirpuri, and Yusuf Shah, a Kashmiri. All served at the MKA's pleasure. In 1958, General Ayub Khan's authoritarian martial law regime – to which even the MKA was subordinate – ended this political roundabout. Thereafter, Azad Kashmir had two presidents in ten years: the popular Khurshid, a Kashmiri (1959–64), and Khan Abdul Hamid Khan (1964–69), whose brother, as NWFP Chief Minister, helped organize the Pukhtoons' invasion of J&K in 1947 (Snedden, 2012, 265–66).

In 1961, Azad Kashmiris were finally allowed to participate in a semi-inclusive political process when General Ayub imposed his supposedly partyless Basic Democracies electoral system on them. Azad Kashmir's 1,065,000 residents, 1,09,000 Jammu refugees and 10,000 Kashmir refugees respectively each elected 1,200, 600 and 600 Basic Democrats. These 2,400 Basic Democrats then elected twelve Azad Kashmir Council members using the same 2:1:1 seat-sharing ratio. In 1968, Azad Kashmir's representation on the Council increased to eight seats, while refugees' seats decreased to four. Despite the Basic Democracies process, many Azad Kashmiris voted in accordance with their obvious *biradari* (tribal)

associations and loyalties, a factor that is still important in local politics (Snedden, 2012, 134).

In 1970, under a military-appointed Chief Executive, who was part of the pressured Yahya Khan military regime, Azad Kashmir received a generous constitution that granted a presidential system, a legislative assembly, multiparty elections and significant autonomy. In October 1970, presidential and general elections based on universal suffrage were held, with Sardar Qayyum, who had inherited Abbas's political mantle, beating Ibrahim, Khurshid and a little known fourth candidate, Tariq Sharif. This was considered to be one of the freest and fairest elections ever held in South Asia (Snedden, 2012, 189). Thereafter, the politically-powerful Qayyum served as president until 1975. Somewhat miraculously, Azad Kashmir had transformed from a one-party system under MKA domination, then a military autocracy, to a genuine multiparty system.

This was too good to last. With a popular Bhutto assertively heading a non-bifurcated Pakistan, genuine autonomy for Azad Kashmir was no longer acceptable. In 1974, the region received its Interim Constitution, a prime ministerial system similar to other provinces and the Azad Kashmir Council. Eight multiparty Legislative Assembly elections, of varying probity and participation, have since been conducted in 1975, 1985, 1990, 1991, 1996, 2001, 2006 and 2011, after which power has changed hands peacefully. According to *The Express Tribune* on 29 March 2016, the Azad Kashmir Election Commission will conduct the next Legislative Assembly elections before 8 June 2016, with a change of government likely. Although the Muslim Conference still exists, candidates contesting elections are increasingly aligning with mainstream Pakistan political parties. Conversely, candidates not supporting J&K's accession to Pakistan are constitutionally barred from elections, a factor that particularly impacts on the Jammu Kashmir [sic] Liberation Front (JKLF), whose members favour independence for J&K (Snedden, 2012, 201, 207, 210).

Politically, Islamabad retains the superior position. Directly or indirectly, Pakistanis have 'influenced' all major Azad Kashmir appointments and elections. This reinforces the popular local saying reported by Raja Riaz in the *Daily Times* of 28 July 2010 that, 'The road to ruling Muzaffarabad passes through Islamabad'. Directly, Islamabad can 'manipulate' (i.e., rig) elections for the twelve 'refugee seats' based in Pakistan. It can impose its will using military officers as Chief Executives, as occurred during Zia's military rule (1977–85) and in 2001 when General Pervez Musharraf ensured that Major-General Sardar Mohammed Anwar Khan, a Poonchi, became Azad Kashmir's President, despite Khan being Vice Chief of the Pakistan

Army three days beforehand. According to the rules, Anwar should have endured a two-year break before standing for any elected position (Snedden, 2012, 107).

Indirectly, Islamabad can 'influence' Azad Kashmiris through pressure, devolving or withholding largesse, lent officers, or the courts, since Pakistan's appellate courts are superior to Azad Kashmir's courts. These factors, which reflect provincial arrangements, work because Azad Kashmir is a deficit region that would struggle to survive without Pakistan's physical, military and financial support. Understanding this dynamic, Azad Kashmiri politicians are increasingly spending more time at 'Kashmir House', Islamabad, than in their capital, Muzaffarabad.

As recently as 2011, Azad Kashmir's Prime Minister had to be acceptable to Pakistan's Chief Executive. This 'Islamabad factor', plus ambitious politicians, resulted in Azad Kashmir having three Prime Ministers in 2009: Sardar Attique, son of Sardar Qayyum (July 2006 to January 2009), Sardar Yaqoob, a Poonchi (January to October 2009) and Raja Farooq Haider, until Attique replaced him in July 2010. Attique had been Musharraf's man; Yaqoob was a compromise candidate; Haider replaced the ineffectual Yaqoob, but became unpopular when he sought to curb corruption (Snedden, 2012, 212–14). The 2011 election ended this internecine rivalry when a 'newcomer', Chaudhry Abdul Majeed from Mirpur, became Prime Minister. Seemingly, the Azad Kashmir-Pakistan relationship had progressed: Majeed was from a different political party (PPP) to his Pakistani counterpart, Nawaz Sharif (Pakistan Muslim League (Nawaz) or PML (N)). The results of the 2016 elections may confirm this newfound political maturity between Islamabad and Muzaffarabad.

Not all Azad Kashmiris have accepted their subjugation to Pakistan and Pakistanis. Disenchanted Poonchis revolted in 1950 and 1955. In 1991, Prime Minister Mumtaz Rathore (PPP), bitter that Pakistan's Prime Minister Sharif (PML) sacked him, eventually – but sullenly – acquiesced in the subsequent 'rigged' elections. Part of the politically-weak Rathore's problem was an unwieldy 17-member cabinet, then Azad Kashmir's largest (Snedden, 2012, 121–27, 132–33). This instituted a 'tradition'. Majeed, also in a weak political position, instituted a 24-member cabinet, meaning that half of the 49-seat Azad Kashmir Legislative Assembly's members received ministerial positions (pakinformation.com, 2014). This satisfied people's ambitions and (supposedly) encouraged loyalty.

A further way to elect politicians acceptable to Islamabad is via indirectly-elected seats reserved in the Legislative Assembly for women (five seats), overseas J&K-ites (one seat), technocrats (one seat) and religious scholars (one seat). In 1991, the wily Sardar Qayyum entered the Legislative Assembly as a religious

scholar, despite lacking any formal religious qualifications. He then served as Prime Minister until 1996. Sharif possibly encouraged Qayyum's 'election' to ensure stability following Rathore's volatile demise.

Interestingly, for some time, Azad Kashmiris were the only J&K-ites enjoying democracy in J&K. Gilgit-Baltistan was only granted genuine participatory democracy in 2009. From 1990 to 1996, democracy was suspended in Indian J&K due to the anti-India uprising there. This uprising caused serious soul-searching among Azad Kashmiris about how best to support their cross-LOC 'brethren'. Thereafter, some 31,000 'internally displaced' Kashmiris crossed into Azad Kashmir. The region housed training camps for various anti-India militants, as confirmed by General Musharraf and Sardar Qayyum (Snedden, 2012, 185–86; 195–97).

Azad Kashmir's economy and development opportunities

Azad Kashmir has three major assets: people, water and forests. However, with few natural resources or economic advantages and with the heavily-militarized LOC to its east, which comprises a 'restricted zone', economic development has been difficult to instigate and sustain. Consequently, Azad Kashmir has always been a deficit area requiring external assistance, including finance, to function. Nevertheless, as 'development outlays' confirm, the region did not receive substantial financial assistance from Pakistan until the early 1970s. Apart from its unresolved international status, Azad Kashmir also offered little that was attractive to Pakistan. Reflecting this circumstance, in 1947, Azad Kashmir was considered to be on a 'sustenance level'. In the 1970s, economic development supposedly 'started in earnest'. By 2014, some 1970 'industrial units' existed. Nevertheless, 'the majority of the rural population', which comprises 88 per cent of Azad Kashmiris living in 1,771 villages, depends on 'forestry, livestock, agriculture and non-formal employment to eke out its subsistence'. Estimated unemployment is 14.4 per cent; estimated average per capita income is USD (United States Dollars) 1,512; major crops are maize, wheat, or rice (Planning, 2014, 6, 67, 80).

One achievement is Azad Kashmir's high literacy rate of 74 per cent, which exceeds Pakistan's rate of 60 per cent (Planning, 2014, 7). However, little work is available locally for literates, except in Azad Kashmir's large bureaucracy: in 1998, 28 per cent of employed Azad Kashmiris worked directly or indirectly in government service (Snedden, 2012, 160). This factor, when coupled with Azad Kashmiris' small and poor landholdings, has meant that Azad Kashmiris, mainly men, have sought work outside the region, chiefly in Pakistan. This includes

serving in the Pakistan Army, which retains an Azad Kashmir Regiment (open to all recruits, not just Azad Kashmiris). About 1.5 million Azad Kashmiris currently 'live abroad', with many working in Persian Gulf countries (Planning, 2014, 55). In 2006–10, the region experienced a 'brain drain' as 1,17,000 people migrated 'due to economic reasons' (Ali, 2012, 17). Many supposed 'Pakistanis' in the United Kingdom comprise people from Mirpur and their descendants. Consequently, financial remittances have been, and remain, an important source of income, both to Azad Kashmir and to Pakistan. This form of income predates 1947.

Hydel is one of Azad Kashmir's few significant assets. After the signing of the Indus Waters Treaty between India, Pakistan and the World Bank in 1960, Azad Kashmir's attractiveness to Pakistan increased due to the region's fast-flowing streams and hydel potential. Works associated with this treaty resulted in Mangla Barrage, located on the Jhelum River just inside Azad Kashmir, being upgraded to a dam. This flooded much of old Mirpur town and forced many Mirpuris to relocate. Mangla Dam became a significant water storage facility and a major generator of 1,000 megawatt (MW) of hydel – both chiefly for use by downstream Pakistanis. After much agitation, Azad Kashmir finally started receiving 'Mangla Dam Royalties' in 2004. In 2007, Mangla Dam's wall was contentiously raised to overcome silting issues. 'Affectees' were compelled to relocate, in some cases for a second time (Snedden, 2012, 173–75).

Officially, Azad Kashmir's potential hydel generation capacity is 8,831 MW. Currently, fourteen power stations generate 1,130 MW and fourteen plants being constructed will generate 1,294 MW (Planning, 2014, 58–60). However, local demand of some 400 MW outstrips local supply for the 94 per cent of Azad Kashmiris with electricity connections. They experience 'load shedding' because power is exported to Pakistan and some consider electricity too expensive. Apart from these shortcomings, Azad Kashmiris, as Engineer Hussain Ahmad Siddiqui reported in *Dawn* on 30 June 2014, have never received any royalties for hydel generated in their region.

Other local assets are timber and tourism. The Azad Kashmir Forests Department controls 43 per cent of the region (5,67,000 hectares), two thirds of which area comprises 'productive forests'. Annual wood production is 1.94 million cubic metres and local demand is 1.65 million cubic metres. Local householders enjoy 'traditional rights' to this asset. On average, they burn three trees every year; they may use five trees to construct a house, for which the wood roof lasts up to ten years (Planning, 2014, 77). Azad Kashmir has encouraged tourism, with limited success. Difficult to access and traverse, the region seemingly has few

natural attractions. In 2005, a devastating earthquake that killed 47,000 people, affected 1.8 million people and severely damaged buildings, facilities and roads, also destroyed the 'vast majority of hotels and other tourist infrastructure'. While policies to rehabilitate the tourism sector are 'yet to be formulated', the 'Build Back Better' programme to reconstruct Azad Kashmir continues (Planning, 2014, 101–02).

Conclusion

This chapter's title states that Azad Kashmir is a region 'Integral to India, Integrated into Pakistan, [and] Lacking Integrity as an Autonomous Entity'. Certainly, New Delhi claims that Azad Kashmir and Gilgit-Baltistan are an 'integral part of India'. Despite this, India has never controlled either region. Moreover, Indians seem prepared to 'lose' both: since the mid-1950s, India-Pakistan discussions about J&K have revolved around how to divide the former princely state, with Azad Kashmir and Gilgit-Baltistan invariably going to Pakistan. Furthermore, while New Delhi has protested against hydel projects in Gilgit-Baltistan, it seemingly has not protested about any hydel projects in Azad Kashmir. Indeed, India seems disinterested in this region. And, by equating Azad Kashmir with 'Pakistan-Occupied Kashmir', New Delhi, when using this imprecise terminology (which can also refer to Gilgit-Baltistan and/or to all of Pakistan-administered J&K) appears to fall into Pakistan's tactic of (falsely) suggesting that Gilgit is outside the Kashmir dispute.

India's disinterest in Azad Kashmir is likely to continue. This is partly because this region is very much already a part of Pakistan, on which Azad Kashmir is almost totally reliant and into which it is heavily integrated. The Azad Kashmir Council legally and financially links the region to Pakistan. Using various devices, Islamabad heavily influences Azad Kashmir. Because of their geo-strategic realities, Azad Kashmiris need Pakistan to survive physically, economically and militarily. Equally, few want their region to join India. Indeed, apart from irredentist, independence-minded JKLF members (who enjoy some popularity around Mirpur), most Azad Kashmiris want Azad Kashmir to be a part of Pakistan – actually and legally. Islamabad's challenge is to incorporate this region without creating a precedent that lessens Pakistan's hope of obtaining the Kashmir Valley. (It has little interest in Indian-controlled Jammu or Ladakh.) Similarly, should Islamabad ever grant Gilgit-Baltistan *de facto* or *de jure* provincial status, Azad Kashmiris would likely seek the same.

Despite its people instigating the Kashmir dispute in 1947, Azad Kashmir is

the least important of J&K's five regions: the Kashmir Valley is the prize that both India and Pakistan want. Next, Gilgit-Baltistan and Ladakh enjoy size, borders with China, and geo-strategic significance. Jammu is important, if only because it must be traversed in order to reach Kashmir. Conversely, unless the Jhelum Valley Road is reopened to international trade and travel, Azad Kashmir is on the way to nowhere. And, even though Pakistan is administering Azad Kashmir until the (never-likely-to-be-held) UN plebiscite resolves J&K's status, the region has little political power, it is dependent on Pakistan and it is effectively already integrated into this country. Azad Kashmir lacks integrity as a genuinely autonomous entity. It is free ('azad') from India and that is about all.

Endnotes

- 1 This chapter is largely based on information discussed and documented in Snedden (2012).
- 2 Before accession in 1947, the princely of Jammu and Kashmir comprised Jammu Province (in the south): 12,378 square miles, 1.98 million people; Kashmir Province (to its north): 8,539 square miles, 1.73 million people; and Frontier Districts (north and east): 63,554 square miles, 3,11,000 people (Snedden, 2012, 10).

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‘Not Part of Kashmir, but of the Kashmir Dispute’

The Political Predicaments of Gilgit-Baltistan

Martin Sökefeld

Introduction

Indian maps show Gilgit-Baltistan as a part of Jammu and Kashmir – and thereby of India – without giving a hint that this is a representation of claims and not of actual political conditions. According to the Indian position, Gilgit-Baltistan (henceforth GB) is a part of J&K, which has been under the unlawful occupation of Pakistan since 1947. Yet the Indian perspective is strictly contradicted by popular discourse in GB which rejects any pretenses that the area is – or should be considered – part of J&K.

Before partition, sections of present-day GB, a high-mountain area characterized by tremendous cultural, linguistic, religious and political diversity (Sökefeld 2014), were part of the Frontier Territories of the Princely State of J&K, a portion of which formed the British Gilgit Agency. In November 1947, the Gilgit Scouts, a paramilitary troop established by the British, staged a successful revolt against the Maharaja’s rule, independently of the uprising that had emerged earlier that year in the southwestern parts of J&K. The Gilgit Scouts asked for accession to Pakistan. While after some hesitation the Government of Pakistan took control by sending a political agent to Gilgit, accession in full legal terms has not been realized even until today. Since 1947, then, the political fate of GB is determined by the condition of being a disputed area under the actual control of Pakistan. We will see, however, that the relationship of some parts of GB with J&K was already controversial and ambivalent before partition, and that the majority of people in Gilgit always resented the Maharaja’s rule.

This chapter charts the problematic political relationship between J&K and GB since Gulab Singh’s troops invaded parts of GB for the first time in the late 1830s (Huttenback, 1961). Analysis focuses, however, on postcolonial developments

and the current situation in the region. Because of its disputed status, the people of GB do not enjoy franchise for the National Assembly of Pakistan. Nationalists of GB argue that the region has a separate political identity and is rightfully neither part of J&K nor of Pakistan. They point out that GB is part of the Kashmir dispute, but not of J&K. At the same time, most people demand the full accession of GB with Pakistan.

The multiplicity of contestations about GB exemplifies the complexity of what, with deceptive simplification, is conventionally called ‘the Kashmir issue.’ It illustrates that ‘the issue’ is not simply a conflict between Pakistan and India – or between insurgents and the Indian state, for that matter – but an intricate entanglement of antagonistic political aspirations and relations of belonging, of power and resistance, of boundaries drawn and movements pushed forward or restrained that together make up the ‘fragmented whole’ of J&K (Sökefeld, 2015a).

Before 1947

The Indian and Pakistani claims that GB ‘is’ part of Jammu and Kashmir are purportedly based on history, but in these simple terms the claim actually obscures much more of the twisted and ambiguous historical relations than it reveals. The territory of J&K state as specified by the Treaty of Amritsar excluded, probably inadvertently,¹ considerable chunks of today’s GB as it made over to Gulab Singh ‘all the hilly or mountainous country with its dependencies situated to the eastward of the River Indus and the westward of the River Ravi including Chamba and excluding Lahul’ (Aitchison, 1892, 353). The greater part of GB is, however, situated west and north of the Indus.

When the Dogras started their incursions into the high-mountain area that is today GB, the area was politically and territorially fragmented into a number of little kingdoms whose rulers at times fiercely competed with one another but sometimes also formed flexible alliances. Two local rajas were of particular importance: Ahmad Shah of Skardu, who roughly between 1820 and 1840 succeeded in subjecting most of Baltistan, and Gohar Aman of Yasin in the westernmost part of GB, who conquered Gilgit. Resentment against these rulers helped the intruding Dogra forces; however, Dogra rule was not able to establish a stable, unified territory in the region. Since it was very difficult to reach Gilgit over mountain paths and passes that were open only during summer, it was troublesome to maintain a garrison there. Dogra troops were evicted again from Gilgit in 1848 and in 1852 by Gohar Aman (Huttenback, 1968, 100). They were able to reconquer the place only after Gohar Amman’s death in 1860. Still,

they never managed to go much beyond Gilgit, particularly in the northern direction; adjacent territories were not occupied but local rajas were obliged to pay annual tribute.

Paradoxically, Dogra rule over Gilgit became more consolidated only with the arrival of the British, who established the Gilgit Agency first in 1878 and then again in 1889.² They did so because their trust in the Maharaja's willingness and ability to ward off Russian advances in the 'Great Game' was rather limited. Only after that did Gilgit become more closely connected with Kashmir through an improved road and a telegraph line (Chohan, n.d., 46). On the other hand, with the establishment of the British Agency, the Dogras lost power in Gilgit. Formally, the Maharaja's jurisdiction was limited to the Gilgit Wazarat under a Dogra Governor (Wazir-e-Wazarat), which included the Gilgit *tahsil*, Bunji and Astor only, i.e., the territories situated between Gilgit and the Kashmir Valley, while the British Political Agent dealt with the (semi-)autonomous rulers of the adjacent territories like Punial, Yasin, Ghizer, Nager and Hunza, and also the unruly 'tribal' areas south of Gilgit. Hunza and Nager accepted British power only after the successful military campaign of 1891. In fact, the Political Agent claimed precedence over the Dogra Wazir-e-Wazarat also in the Gilgit *tahsil*.

Elsewhere I have detailed that British officers criticized the Kashmiri Wazir-e-Wazarat for exploitative mismanagement in Gilgit, such as the excessive extraction of agricultural produce and forced labour (*begar*) for the maintenance of the Kashmiri garrison (Sökefeld, 2005, 946, 953). The British successfully took pains to distance themselves from the Dogra administration and employed strategies of colonial governance which differed fundamentally from those of the Dogras. Based largely on what Ranajit Guha (1997, 30ff) has called 'the idiom of improvement', the British indeed managed to establish largely sympathetic relations with the local population. Drawing on the complaints against Dogra practices that were recorded by the British officers, we have to conclude that the Dogra administration was never fully accepted in Gilgit. Even today, British rule is remembered much more favourably than Dogra rule in Gilgit (Sökefeld, 2005, 950ff).

In order to ease the tensions of 'dual control' between the Wazir-e-Wazarat and the Political Agent, the British Government in 1935 leased from Maharaja Hari Singh for sixty years that part of the Gilgit Wazarat which is situated on the western banks of the Indus.³ That the other parts of the Gilgit Agency remained disputed became apparent when Maharaja Hari Singh considered joining the proposed Federation of India. Hari Singh was of the opinion that the 'Political Areas' of the Gilgit Agency would join the Federation as part of J&K state. Yet,

the British objected. The British Residency in Kashmir maintained in 1938: 'It will be observed that the Political Department are of opinion that Hunza, Nager, Chilas, Koh Ghizar, Iskhuman and Yasin, though under Kashmir's suzerainty, were never recognized as a part of Kashmir.'⁴ Not accepting this position, the Maharaja submitted in 1939 a lengthy report, the 'Kak-Memorandum', which collected evidence for J&K's position. The Memorandum was, however, rejected by the British Government, which maintained that the territories of the Gilgit Agency are 'under the suzerainty of the Kashmir state yet not part of Kashmir.'⁵ Subsequently, the British took pains to completely separate the Gilgit Agency from J&K in the administrative respect. For instance, the Census of 1941 did not add up the Agency's figures with the population of J&K State and the inhabitants of the Agency were no longer regarded as State subjects but as subjects of the Crown.⁶

After 1947: Deferred accession with Pakistan

Nonetheless, when the subcontinent's independence was imminent, the British 'returned' the Gilgit Agency to the Maharaja of Kashmir. On 30 July 1947, two weeks before partition, Wazir-e-Wazarat Ghansara Singh arrived in Gilgit and took the administration of the Gilgit Agency out of the hands of the British Political Agent (Sökefeld, 1997b). Yet, Ghansara Singh's position was tenuous. Militarily he had to rely on the Gilgit Scouts, the local paramilitary force that had been a fundamental element of British rule (Sökefeld, 2005, 951f) and that after the transfer of power remained under the command of two British officers, Major Brown and Captain Mathieson. The local junior-commissioned officers refused to take an oath of loyalty to the Maharaja. On 1 November 1947, when it became known that the Maharaja had declared the state's accession to India, the Scouts revolted, arrested the Wazir-e-Wazarat and formed a provisional government that called the Government of Pakistan to take over. They started a quite successful military campaign to liberate Bunji, Astor and Baltistan from Dogra rule. Skardu, the capital of Baltistan, was conquered on 14 August 1948 and Baltistan became part of the Gilgit Agency.⁷

While many aspects of the Gilgit Scouts' freedom struggle remain disputed until today – most importantly, whether the British or the local officers took the leading role in the revolt⁸ – it is clear that there was no sympathy with Dogra rule and that the wish for accession with Pakistan was unanimous. Yet, equally clear is that Pakistan did not fully accept this wish and only sent a minor official who became the new Political Agent. Legally, Pakistan has not accepted the accession even today – GB remains under the administration of Pakistan, but is not a *de jure*

part of the country. This is a consequence of the Kashmir dispute: India demands the whole of J&K, including GB, because according to the Indian reading of the events, the Maharaja declared the accession of the entire J&K state to India and GB was a part of J&K state. Pakistan rejects this interpretation for two reasons. First, according to the principles of partition, J&K state, as a Muslim-majority area, should have joined Pakistan, and second, at the time of his declaration of accession, Maharaja Hari Singh had lost all legitimacy to do so because rebels had deposed him by declaring the Government of Azad Jammu and Kashmir (AJK).⁹ Accordingly, Pakistan claims equally the whole of the erstwhile J&K state. GB remained a 'disputed area' that could not be legally integrated with Pakistan because on the one hand India would issue strict protest, and on the other, Pakistan would probably lose the votes of the people of GB in case the referendum envisaged by the UN Security Council to solve the Kashmir dispute did one day actually take place.

The effect of GB's deferred accession was that Pakistan largely copied and continued the British administration of the area, practicing a system of 'postcolonial colonialism', which I have detailed elsewhere (Sökefeld, 2005). As before, the small states of Hunza and Nager remained internally autonomous. Formally, Pakistan took the charge of Gilgit-Baltistan through the Karachi Agreement of 1949 – a treaty by which the Government of AJK 'transferred' the responsibility for GB to the Government of Pakistan. I put 'transferred' in quotes as the Government of AJK has practically never had any responsibility for GB.¹⁰ But because the Government of Pakistan by default regards the Government of AJK as the legitimate government for the whole of J&K, it took the legal justification for controlling GB from AJK.

The most significant consequence of GB's status as a disputed area that is not a constitutional part of Pakistan is that the area lacks any representation in Pakistan's political setup. The people of GB do not have the right to cast their votes for the National Assembly of Pakistan and GB is neither represented in the Senate nor in any federal commission. Although since the early 1970s, consecutive governments of Pakistan have issued a number of reforms, which brought some changes to the administration of GB, the fundamental point, the lack of representation, remains unchanged. Since the last reform of 2009, the administrative setup of GB resembles to some extent a province of Pakistan with a legislative assembly and a Chief Minister, but the issue of representation remains untouched. Islamabad's policies towards Gilgit-Baltistan and Azad Kashmir contrast starkly with Delhi's relation with Indian J&K. The special political status that Indian J&K initially

enjoyed was gradually eroded. Today J&K has, with a few symbolic exceptions, legally the same status as any state of the Indian Union, including representation in India's parliament.

Despite the long-lasting disappointment in GB with the suspended accession to Pakistan, which resulted in a number of protests, a renewed affiliation with J&K was only very rarely considered as an alternative. I recorded the narration of one early instance of such a reference to J&K during my fieldwork in Gilgit in the early 1990s. Initially, Pakistan governed GB through its North West Frontier Province (NWFP). For political and cultural reasons this was much resented. In Gilgit, the NWFP was largely equated with Pashtun ‘tribal’ culture and with the *Frontier Crimes Regulations* (FCR), the British law for governing tribal areas which the first Pakistani Political Agent, Mohammad Alam Khan, extended to the whole of Gilgit-Baltistan.¹¹ People in Gilgit feared that the Government of Pakistan wanted to make GB a part of the NWFP. Johar Ali Khan, who in 1947 had been involved in a secret civil organization for the support of Gilgit's accession with Pakistan and who later became one of the first lawyers in Gilgit and an important political leader, told me about the visit of a UN delegation in 1948. He and others had suspected that on this occasion the Pakistani Political Agent wanted to declare the integration of GB with the NWFP. In order to prevent this, Johar Ali Khan and his companions wanted to emphasize the relation of GB with J&K. For this purpose, they instantaneously formed a branch of the Muslim Conference (MC), the ruling party of Azad Kashmir, in Gilgit, met the delegation and thwarted the Political Agent's plan by claiming affiliation with J&K.

The MC's president, Chaudhary Ghulam Abbas, learnt about this move, probably through the UN delegation and even visited Gilgit in summer of 1948. Yet, there were no further contacts and the Gilgit branch dissolved. In our conversation, Johar Ali Khan emphasized that the branch had been established solely in order to prevent the integration of GB with the NWFP, and that no closer relationship of GB with J&K, or, for that matter, AJK, had been intended (Sökefeld, 1997a, 278f.). In fact, Johar Ali Khan in particular always denied the possibility of making GB a part of AJK. Referring to the area of the two territories, he equated GB (75,496 square kilometers) with a bucket and AJK (11,639 square kilometers) with a glass, noting that, ‘You can put a glass into a bucket but never a bucket into a glass!’

Struggling for political rights

In spite of the continuous political struggle for full accession and the many administrative changes imposed by Pakistan, GB did not become a regular part of

Pakistan. The discontent that grew in the course of GB's postcolonial history had already arisen among members of the provisional government of Gilgit that was established on 1 November 1947, because they were sidelined by the Pakistani Political Agent. An early critic was Col. Mirza Hasan Khan, one of the leading personalities of the *jang-e aazadi* (war for freedom), who had a bitter conflict with the Political Agent (Brown, 1998, 225ff). In the beginning of the 1950s, he was implicated in a military plot against the Government of Pakistan and remained in prison for a few years. After his return to Gilgit, he formed the Gilgit League in 1956, which demanded political reforms in Gilgit, particularly the abolition of the FCR (Mirza Hassan Khan, n.d., 365). The party was dissolved in 1958 when martial law was declared in Pakistan.

Political activism in Gilgit began growing in the 1960s, when more young men were going to Pakistan for higher education and came into contact with political ideologies and organizations. In the late 1960s, revolt broke out in Nager against the Mir's despotic rule. The opposition in Nager sympathized with the PPP, established in 1967 by Zulfikar Ali Bhutto. Yet the Pakistani administration sided with the Mir and sent troops to Nager to crush the revolt. These events in Nager were followed by the *Inqilab-e Gilgit* (Revolution of Gilgit). As elections for the first Northern Areas Advisory Council¹² had been announced for 1970, another political organization, the Tanzim-e Millat (Organization of the Nation) was established under the leadership of Johar Ali Khan. Shortly before the elections, a minor issue with an army officer that in local eyes was seen as exemplifying the highhandedness of the Pakistani system, escalated to a popular revolt in the course of which the prison and the police station of Gilgit were stormed. The Frontier Constabulary had to be called in to subdue the uprising because in contrast to the earlier events in Nager, the local troops, the Gilgit Scouts, this time refused to fire at the crowd.¹³ Yet when Zulfikar Ali Bhutto became the President of Pakistan he took closer interest in the region. He amnestied the imprisoned leaders of the *Inqilab-e Gilgit* and initiated administrative reforms: FCR and local taxation were abolished, as were the semi-autonomous states of Hunza and Nager. In Gilgit, the Tanzim-e Millat was turned into the local branch of the PPP.

As competitor of the Tanzim-e Millat, a second political organization was established, called the Gilgit-Baltistan Jamhuri Mahaz (Democratic Front of GB). Contrary to the Tanzim-e Millat, the Jamhuri Mahaz demanded the accession of GB with AJK. Its support came exclusively from the Sunni section of Gilgit's population, while the Tanzim-e Millat was supported by all three sects in the area, Shias, Sunnis and Ismailis, although with a certain preponderance

of Shias. Sectarian affiliation was to become a significant dimension of politics, especially since the 1980s, when Sunni-Shia violence became endemic in the town. Many people in Gilgit believe that sectarianism was in fact promoted by the Federal Government as a divide and rule policy in order to prevent further joint mobilization of the people of the area.

Fifth province of Pakistan, a separate nation, or a part of Kashmir?

Administrative developments in GB differed markedly from AJK for which a separate ‘Interim Constitution’ was adopted in 1974. At least formally this enabled more autonomy from Pakistan for AJK. Steps taken for GB, in contrast, could be seen as pushing the area towards provincial status. This was continued by the military regime of Zia-ul Haq, which labelled GB as ‘Martial Law Zone E’, after the four Pakistani provinces (Zones A-D), while AJK was not declared a Martial Law Zone. Yet all changes stopped short of allowing full provincial status, including representation to GB. Political activism that had been prohibited during Zia’s rule slowly rose again in the mid-1980s.

While formal accession remained deferred, the construction of the Karakorum Highway (KKH) which connects Pakistan with China through GB, linked the region more closely to Pakistan. After its completion in 1979, movement between GB and Pakistan became a daily affair, especially for economic and educational purposes. Moreover, ideas and ideologies floated more freely between the two entities. Nationalism became a hot topic among people in and from Gilgit. In 1986, the Karakorum National Movement (KNM) was established among students from GB in Karachi. Its founder had lived for some years in Quetta and took Baluch nationalism as a model. The KNM conceived of the people of GB as a nation that needed to be united in spite of all divisions of sectarian affiliation, language or ‘tribe’. The KNM demanded constitutional rights for GB, including provincial status and representation in Pakistan’s National Assembly, but also control over GB’s natural resources, most importantly water. The KNM’s nationalist ideas were very appealing to young men who after completing their higher education in Pakistan returned home without finding employment, because many higher positions in GB’s administration were held by Pakistanis.

More nationalist parties came into being; the most important of them is the Balawaristan National Front (BNF). A manifesto written by the BNF’s founder, Nawaz Khan Naji, in 1988, had already spelled out its nationalist ideology in more detail (Sökefeld, 1997a, 301ff; Sökefeld, 1999). He emphasized that the people of GB formed a separate nation – separate from both Kashmir and Pakistan – called

Balawaristan (from *Balawar*, or mountain people), which deserved the right of self-determination. Like the KNM, the BNF too demanded constitutional rights and real autonomy for GB.

In the course of the 1990s, a faction of the BNF led by Abdul Hamid Khan developed more radical ideas and demanded the independence of Balawaristan. Abdul Hamid Khan was accused of treason and had to leave Pakistan. He lived in India for some years where he was much highlighted by the media as the voice of the oppressed people of 'Pakistan Occupied Kashmir'. Describing GB as the 'most deprived and neglected part of J&K', as the title of a BNF pamphlet read, he alleged that the human rights situation in GB was worse than in Indian J&K. Although this was a gross exaggeration – after all, thousands of people have been killed or 'disappeared' in the war between insurgents and the Indian Army on the other side of the LoC – he found ready support in India for his theses. While not advocating the inclusion of GB with J&K, he brought Kashmir back into the political debate in GB by emphasizing that the people of J&K enjoy full representation in India (e.g., Abdul Hamid Khan n.d., 6f). He thus argued that India treated its section of erstwhile J&K on much better terms than did Pakistan.

This argument was readily taken up in political discourse in GB, not as an argument for the alignment of GB with J&K, I have to reiterate, but simply as another piece of evidence for Pakistan's neglect of GB. Reference to Kashmir remained strategic. Today, it is not limited simply to nationalists, but is also used by mainstream politicians such as Amjad Hussain, then president of the PPP GB, who in an open letter to the members of Pakistan's National Assembly, compares the status of Indian J&K with GB's legal status (Hussain, 2016). In his statement, he also refers to the state subject status which is a significant issue for GB. The rule that only subjects of J&K state are allowed to hold land and public service positions, introduced by Maharaja Hari Singh in 1927, is still in force in Indian J&K and in AJK. The state subject rule was not formally abolished by Pakistan with regard to GB; it has simply been disregarded since the 1950s. Pakistanis are not barred from purchasing land and being employed in public service in GB. For many people in GB, this is yet another indicator of their 'colonization' by Pakistan. They argue that local resources are appropriated by Pakistan without adequate compensation, and most importantly, without representation and equal rights for the people of GB. Yet, while the reintroduction of the state subjects rule is demanded for the protection of local resources, this does mean that GB is considered a part of J&K.

While AJK has formally relinquished all competence for control of GB in the

Karachi Agreement, activists and politicians from AJK regularly demand the ‘re-unification’ of GB with AJK, and are particularly critical of all steps and demands from GB towards its full integration into Pakistan. Those in Gilgit who seek a link with AJK are invariably Sunnis. There is a clear sectarian rationale behind this: Sunnis are a minority in GB, while they form the overwhelming majority in AJK. Shias and Ismailis, in contrast, would be marginalized in AJK. Since the late 1980s, sectarian affiliation has become the pervasive subtext of politics and the everyday in Gilgit (Ali, 2010; Grieser and Sökefeld, 2015). In 1990, two Sunni politicians from GB filed a writ petition at the High Court of AJK in Mirpur that demanded the unification of GB with AJK. The governments of Pakistan and of AJK rejected the petition. Yet all other statements that were admitted to the case, mostly by various political parties of AJK, confirmed that GB should be handed over to AJK.

In his verdict of 1993, Chief Justice Malik Majeed ordered ‘the Azad Government to immediately assume the administrative control of the Northern Areas’ (Majeed n.d., 173; see Sökefeld, 2015b, 179f). Both the Government of AJK and the Government of Pakistan appealed to the Supreme Court of AJK, which rejected the High Court’s judgment ‘on technical grounds’, as the Chief Justice told me in an interview on 31 August 2007. Yet the verdict is quite telling for the relationship between AJK and GB. Interlocutors from GB criticized Majeed for not admitting any party from GB to the case, except the two petitioners, and regarded this as just another instance of AJK’s arrogance vis-à-vis GB (Sökefeld, 2015b, 180).

GB then, is disputed in multiple ways, and not only between India and Pakistan. Its relationship with AJK is disputed, as is its relationship with Pakistan. Sometimes, it is even disputed that GB is disputed at all. When I applied for the special ‘No Objection Certificate’ (NOC) that is required of foreigners to enter AJK, I asked the personal assistant of the Chief Secretary for AJK why such an NOC is needed for visits to AJK but not for GB. He replied that, ‘AJK is a disputed area and GB is not disputed’. The official diction in Pakistan is now that GB is not a *de jure* but a *de facto* part of Pakistan. In GB, the formula has become that GB is not part of J&K but part of the Kashmir dispute. Initially, this phrase was coined by the nationalists from whom I heard it for the first time in 2007. Subsequently, it has entered mainstream political discourse. The overall perception is that GB is held hostage by the Kashmir dispute: GB’s accession to Pakistan is deferred because besides the reactions from India, Pakistan fears that the votes from GB would be lost in the event of an eventual referendum on the future of J&K. Accordingly, GB could become full part of Pakistan only after the final solution

of the Kashmir issue. Many people in GB, however, argue that the parts of J&K under Indian control have been fully integrated into the Indian Union without jeopardizing further claims on the Pakistani parts. Others allege that beyond the Kashmir issue, the unresolved status of GB is actually in the interest of Pakistan, since it allows for direct control and close surveillance of a suspicious populace in a strategically important border area wedged between Afghanistan, China and Indian J&K.

Recent developments: The Reform of 2009 and the China-Pak Economic Corridor

The issue came up again with the Gilgit-Baltistan (Empowerment and Self-Governance) Order¹⁴ of 2009. The Order renamed the 'Northern Areas' as Gilgit-Baltistan, turned the previous Legislative Council into the GB Legislative Assembly, and created the office of the GB Chief Minister who is elected by the Legislative Assembly. Further, it constituted the GB Council in which Pakistan has a strong representation, following the model of the AJK Council.¹⁵ Reactions to the package were mixed. It was mostly welcomed by the official political setup of Azad Kashmir, although it was also emphasized that GB was 'an integral part of Kashmir' (*Dawn*, 2009b, 2009c). AJK nationalists, however, strictly criticized the reforms as detrimental to the Kashmir issue as GB was given a separate status (*Dawn*, 2009d). In GB itself, the Order was largely welcomed although many commentators considered the reforms as only symbolic and not bringing actual empowerment to the region. GB nationalists termed it 'an eyewash' (*Dawn*, 2009a). Yet, symbols matter too and thus the name change from 'Northern Areas' to 'Gilgit-Baltistan' was particularly appreciated. People in GB had never been happy with the previous designation that had labelled their area only in geographical relation to Pakistan, as the 'Northern Areas of Pakistan'. 'Now we have an identity', was the most frequent comment on this. With the passage of time, however, criticism of the Order grew, and most political actors in GB are no longer content with mere symbolic recognition.

At the time of writing (in early 2016), the status of GB is again under intense discussion. The background is Pakistan's relationship with its traditional ally China (Small, 2015), and the China-Pakistan Economic Corridor (CPEC), a huge infrastructure project, which is part of China's 'Silk Road Initiative' for enhancing regional connectivity. Originally, the idea was simply to link China's westernmost province Xinjiang with Pakistan's deep-water Gwadar port on Baluchistan's coast. The centre-piece and also the most difficult part of this connection is the KKH.

In 2006, Pakistan and China signed an agreement worth 327 million USD for the upgrading and widening of that road (Holslag, 2010). The upgrading is almost complete although it was severely disturbed when in 2010 a huge landslide blocked the Hunza River creating a lake, which flooded and destroyed a large part of the KKH (Sökefeld, 2012).

Meanwhile, the KKH became part of a much larger project, the CPEC, which also includes many other infrastructure investments (Khan, 2014). Fearing that the huge, multibillion dollar investments in GB and beyond could be negatively affected by the unresolved political status of GB, China apparently pressed for a ‘legal cover’ that led the Government of Pakistan to consider ‘elevating’ the status of the area (*Dawn*, 2016; *Express Tribune*, 2016a). Publicly, however, China denied such concerns (*Indian Express*, 2016). Yet the Indian Government as well as the AJK Government and separatist leaders in Indian J&K got alarmed and warned Pakistan of changing the status of GB, emphasizing that it is ‘part and parcel of the state of Jammu and Kashmir’ (*Express Tribune*, 2016b; *Deccan Chronicle*, 2016; Wani, 2016).

In GB, however, hopes run high that the area will finally get constitutional rights. In November 2015, the Chief Secretary of GB commissioned a report on the ‘Historical Perspective of Gilgit-Baltistan’, aiming to ‘consolidate the relevant historical record, analyze and interpret relevant treaties [and] deliberate on boundaries till November 1, 1947’ (*Pamir Times*, 2015). The report was written by a committee consisting mostly of retired army officers and civil servants of GB and emphasizes those aspects history that complicate the simple assertion that ‘GB is a part of J&K’. The report’s executive summary maintains:

As a national policy in principle, the future of Gilgit Baltistan has been linked with Kashmir Issue, considering it a part and parcel of former State of Jammu and Kashmir. However, since November 1, 1947 Gilgit Baltistan is being governed by Government of Pakistan and since then the region enjoys a special status under Federation of Pakistan. This prolonged indecisiveness regarding determination of political status has resulted into sense of political deprivation and identity crisis to the people, living here. [...] This document is aimed at considering and evaluating all the relevant factors to the subject, to draw realistic conclusions and recommend viable options with a view to eliminate the prevailing sense of political deprivation of the people and ensure better future integration of Gilgit Baltistan with Pakistan (Beg, 2015, iii).

It was an unprecedented move that the Chief Secretary, the highest representative of the Government of Pakistan in GB, asked a local group to compile such a document as a basis for a decision about GB's future political status. The Order of 2009 had been issued without much prior consultation with GB. In its last part, the report considers the pros and cons of three options for GB, i.e., the continuation of the present status with 'interim representation' in Pakistan, merger with AJK, or a separate status akin to AJK (*ibid*, 25ff). The report recommends conferring an 'interim or provisional status to Gilgit-Baltistan with right of vote and representation in Parliament of Pakistan' (32). Anticipating protest from India, it notes that:

Pakistan can justify its stance, as India has already extended its constitutional jurisdiction to the part of Jammu and Kashmir under its administrative control, including Laddakh [sic] region. Moreover, [the] Kashmir issue also remains unhurt due to interim nature of the provision (*ibid*).

Having sparked the renewed debate, the CPEC might offer a window of opportunity for changing GB's political status, enabling at least a 'provisional accession' with Pakistan, while the formal and complete accession will most probably be further deferred. The Government of Pakistan has already announced the next 'reform package' (Mir, 2016). Yet it may also result in the prolongation of GB's political deprivation as some commentators seem to fear (Shigri, 2016), given that without representation in Pakistan, GB also has no say in the planning of the Corridor.

Conclusion

Seven decades after partition, the political status of Gilgit-Baltistan remains unresolved. In spite of the revolt of 1 November 1947 against Dogra rule in Gilgit, which took place independently of events in the Kashmir and Jammu provinces, and notwithstanding the explicit will of the then provisional government of Gilgit and the rulers of the small local states to accede to Pakistan, accession has never been granted. Instead, there was a long and initially slow process of 'de facto' integration with Pakistan, i.e., the development of close ties in almost all areas of life, which stopped short, however, of legal and political integration. With the passage of time, reform packages that promised more rights followed each other more quickly and the related debate became the fundamental tone of political life in Gilgit.

It may seem strange that after so many years of rejection and vain struggles for political rights and in spite of certain disillusionment given Pakistan's often dismal state of affairs, most people in GB still aspire for full integration and, in fact, declare themselves to be proud and patriotic Pakistanis. The case of contemporary Gilgit-Baltistan contradicts James Scott's 'Zomia-thesis', which argues that Asian highlanders mostly shun the lowland states, and, through a strategy of self-marginalization, attempt to escape the state's colonizing and appropriating forces (Scott, 2009). Tania Li (2005, 385), in contrast, maintains that the state often has a particular appeal for marginalized and excluded populations. Such general considerations apart, I suggest that the case of GB cannot be understood independently of its particular historical trajectory. People in Gilgit-Baltistan emphasize that it was their own forefathers who staged the revolt against the Maharaja and declared for accession to Pakistan. Many of them lost their lives and became *shahid* (martyrs) in the war of liberation. The annual commemoration of the beginning of the freedom struggle on 1 November is a very significant event in the yearly round of events. It takes place at the martyrs' graves in Gilgit's Chinar Bagh. More important for the continuous demand for 'constitutional rights' than Pakistan's particular appeal, is the legacy of the forbearers and the will to finally accomplish what they began.

Thus, J&K cannot be considered an alternative, as reunification with J&K would be a betrayal of the forefathers' and martyrs' legacy. Accordingly, a recent (non-representative) survey among young people in GB found that almost 82 per cent of them 'prefer to call themselves Pakistanis and disassociate themselves from the larger Kashmiri identity' (Ali and Akhunzada, 2015, 9). After 1947, GB has never been autonomous. In addition to the direct rule by the Government of Pakistan, many political actors from outside have attempted to meddle with the area's affairs: the Government of India, the Government of AJK, but also oppositional nationalists in AJK, insurgents in Indian J&K, and now, perhaps, China. Therefore, full accession to Pakistan would be the long-deferred accomplishment of the single foundational autonomous act in the postcolonial history of GB – the revolt against the Maharaja's rule.

Endnotes

- 1 Fredric Drew argued that the exclusion of Gilgit by the delineation of the territories handed over to Gulab Singh was not intentional, but simply a consequence of geographical ignorance (Drew 1980 [1875], 439–40).

- 2 On the background of the establishment of the Gilgit-Agency, see Alder (1963) and Yasin (1984).
- 3 For the text of the lease deed, see Amar Singh Chohan n.d., 220.
- 4 IOR R2 (1086/299), Oriental and India Office Collections, British Library. The paper continues, however, to state that the Residency lacked documentary evidence for this position, which has 'never been accepted by the Kashmir Government in writing though they appear to have acquiesced in it subsilently'.
- 5 Letter of the Political Department to the Resident in Kashmir, May 5, 1941. See IOR R2 (1086/303), Oriental and India Office Collections, British Library. For a more thorough discussion of this issue, see Sökefeld (1997a, 261ff) and Bangash (2010).
- 6 IOR R2 (1086/304), Oriental and India Office Collections, British Library.
- 7 For the Scouts' fight for Baltistan, see Afridi (1988, 222f) and Mahajan (1973).
- 8 See Sökefeld (1997a, 265ff), Sökefeld (1997b) and Bangash (2010). Major Brown privately published his own detailed account of the events (Brown, 1998).
- 9 On the formation of the Government of AJK, see Snedden (2012).
- 10 Gilgit's local historian Usman Ali compares the Karachi Agreement with the British lease of the Gilgit Agency (Ali, 1990, 133).
- 11 The British had imposed the FCR in 1901 on the Political Districts and Chilas, and, with the lease of 1935, extended them to the Gilgit-Wazarat (*Administrative Report of the Gilgit Agency*, 1936–41; IOR L/P&S/12/3288, Oriental and India Office Collections, British Library). Only after 1947 did Baltistan come under the FCR. The FCR were lifted from GB by the Bhutto Government in 1972 (Lentz, 2000, 266f; Behera, 2006, 180).
- 12 At that time, GB was officially called 'Northern Areas of Pakistan'. Only the Order of 2009 (see below) changed the formal designation to Gilgit-Baltistan.
- 13 For a detailed account of events, see Sökefeld (1997a, 284–88).
- 14 Perhaps tellingly, the title of the order is officially exactly written so that 'Empowerment and Self-Governance' are bracketed.
- 15 The Order contains 'Legislative Lists' defining the competences of the Legislative Assembly and the GB Council and states that all subjects not mentioned in these lists remain under the legislation of the Government of Pakistan. The GB Council Legislative list is almost identical with the AJK Council Legislative List as specified in the AJK Interim Constitution Act. The AJK Interim Constitution Act, however, contains no separate Assembly Legislative List but simply states that all topics not included in the Council Legislative List are within the purview of the AJK Legislative Assembly (Interim Constitution Act, 31[2]). Thus, the formal control of the Government of Pakistan on GB is much closer than on AJK.

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Law, Gender and Governance in Kashmir

Seema Kazi

Introduction

It is widely accepted that contemporary conflicts are gendered and that women are subject to gender-specific forms of violence and discrimination. This point is especially salient in light of the United Nations Security Council Resolution 1325 affirming the significance of gender in armed conflict.¹ Gender mainstreaming is regarded as key towards instituting governance reform and enhancing political stability in conflict and post-conflict situations (El Jack, 2003, 3). This particular argument around gender, governance and conflict is premised on redressing gender-blind understandings of conflict and post-conflict reconstruction in states weakened by war – such as in the Balkans, Africa and the Middle-East.

The conflict in Indian-administered Kashmir,² however, does not fall within this category. The human tragedy in Kashmir is not the outcome of a weak or disintegrating nation-state. On the contrary, Kashmir has been subject to decades of undemocratic, unrepresentative and authoritarian governance by a relatively stable Indian state that, in turn, generated a militant-led movement for independence in 1989–90. The Kashmiri rebellion against the Indian state prompted a counter-offensive characterized by an extraordinary military mobilization and large-scale human rights abuses by state security personnel against Kashmiri civilians. It also simultaneously served to reinforce the India-Pakistan rivalry over the territory of Kashmir. Both dimensions transformed Kashmir into the most militarized territory in the world (Mathur, 2014; Kashmir Media Service, 2013).

In keeping with the characteristics of contemporary conflicts, the conflict in Kashmir assumed gendered overtones. Yet, as a result of the aforementioned historical and political reasons, Kashmir's gendered realities were shaped by rather different dynamics than the conflicts in Africa or the Middle-East. In contrast to the latter, Indian governance regimes in Kashmir were among the principal sources of the conflict. Accordingly, Kashmiri women were not victims of the social chaos

produced by a weak state or failing governmental authority. On the contrary, women in Kashmir faced a formidable and brutal state-led military occupation, an intrusive and predatory state security presence, a pervasive climate of violence, fear and repression, and a culture of public unaccountability and impunity for sexual crimes committed by state security forces.

This particular empirical context within the confines of a 'democratic' state mandates a rather different analytic framework. Accordingly, in contrast to approaches focusing exclusively on gender relations in a particular conflict zone, this chapter foregrounds the issue of rape of Kashmiri women by Indian security forces within Kashmir's wider institutional and legislative setting. Such a frame illustrates how larger and overarching systems of power and dominance shape and influence women's lived experience of law and governance in Kashmir. It highlights the gendered aspects of state security practice, as well as Kashmir's deep and enduring deficit of justice and accountability for sexual crimes committed by state personnel. By way of conclusion, the chapter emphasizes the regime of impunity that forecloses accountability or justice for such crimes committed by state personnel against Kashmiri women, and by extension, the illegitimacy of a state that uses sexualized repression to maintain its unlawful hegemony in Kashmir.

The (il)legality of Indian rule: Ethnicity, governance and repression

Kashmir's recent history is witness to grave breaches of international and domestic law. Both dimensions are not mutually exclusive; rather, they are deeply intermeshed. It is therefore useful to begin the discussion by illustrating the overlap between both. Kashmir or the Valley of Kashmir – also the location of the conflict – was part of the former princely state of Jammu and Kashmir. Princely states were not part of British India³ and their option upon British withdrawal from the subcontinent was restricted to joining one of the two successor states of India or Pakistan.⁴ Without diverging into the multiple and complex events surrounding Kashmir's absorption within India, suffice it to state here that developments within the former princely state prior to and after 1947 (see Snedden, 2013, 41–57), together with the signing of a *provisional* accession to India by the ruling monarch Maharaja Hari Singh prompted war between India and Pakistan over the territory of Kashmir.⁵ Upon cessation of military hostilities in 1948, a United Nations supervised ceasefire line, later known as the LOC, divided the territory of the erstwhile princely state between the Indian state of Jammu and Kashmir (comprising the Kashmir Valley, Jammu and Ladakh) and

Pakistani Kashmir (comprising Azad Kashmir, Gilgit and Baltistan). Subsequent United Nations Resolutions in 1949 and 1951 affirmed the legal principle that the future of Kashmir should be determined by a vote of its people by way of a free and impartial plebiscite.⁶ Both states committed themselves to a plebiscite, yet neither did much to implement the same.⁷

If the denial of a plebiscite in Indian-administered Jammu and Kashmir (IJK) constituted a grave breach of an international legal obligation on the part of India, its subsequent declaration of Kashmir's provisional accession as permanent, served to heighten local Kashmiri grievances. Having reneged on the plebiscite, and in the absence of a legal mandate to rule Kashmir, the Indian claim to Kashmir came to rest on the very document that had provoked war between India and Pakistan, namely, the Instrument of Accession. By the yardstick of international law, India's resort to the Instrument of Accession as a justification for juridical control over Kashmir was on questionable legal grounds. There exist several discrepancies with regard to the accession signed by Kashmir's Maharaja Hari Singh in 1947. International law deems the Instrument of Accession invalid since Hari Singh was not in control of his territory and therefore lacked the authority to sign such a document (Snedden, 2013, 41–57).

Further, the Accession was made under duress and coercion that, according to Article 52 of the Vienna Convention on the Law of Treaties, renders it invalid (Rangarajan, 2014, 50). In addition, there is evidence to suggest that Indian troops were already in Kashmir before the Maharaja had signed the Accession Treaty, thereby raising serious concern regarding the legality of the accession (Lamb, 1992). Finally, there remain doubts as to whether the Instrument of Accession was ever signed: international law stipulates that every treaty entered into by a member state of the United Nations must be registered with the United Nations Secretariat. India has never presented or registered the Instrument of Accession with the United Nations. For these reasons, Kashmir's accession to India is legally questionable, if not invalid (Kapur and Narang, 2006). In the absence of international legal validity for its claim to Kashmir and in the face of local Kashmiri resentment against its forced annexation, India maintained its territorial and political hegemony in Kashmir through the twin policies of coercion and repression, and the cultivation of local client regimes by the central government in New Delhi.

Notwithstanding Kashmir's unresolved status with reference to international law, its unsettled status *within* India was legally acknowledged by framers of the Indian Constitution. Article 370 of the Constitution protected Kashmir's

autonomy and limited Indian jurisdiction in Kashmir to the areas of defense, foreign affairs and communication. Over the decades however, Article 370 was steadily eroded⁸ and central jurisdiction extended to areas well beyond those spelled out in the constitution. As a result, Kashmir came to be ruled by a class of people affiliated more with the central government in New Delhi than with the local Kashmiri population.

Mindful of the extra-legal erosion of Kashmiri autonomy and aware of the shaky legitimacy of Indian rule in Kashmir, successive central governments denied to Kashmir constitutional freedoms and the rights of citizenship such as the freedom of speech and peaceful assembly. Judicial review⁹ of their suspension was disallowed. As K. G. Kannabiran notes:

Freedom of speech, assembly and association in the state could be suspended at any time on 'grounds of security'. No judicial reviews of such suspensions would be allowed What ... India experienced for a brief period ... during [the] Emergency ... Kashmir has suffered for ... years. We cannot deny a people rights that flow out of citizenship and then expect their allegiance (1990).

The erosion of Kashmiri autonomy, repressive modes of governance and the subversion of local democratic process to perpetuate local client rule in Kashmir prompted the formation of a broad coalition of political groups opposed to the local status quo. In the aftermath of the 1987 election result – widely perceived as fraudulent and illegitimate – local opposition candidates and political parties concluded that 'democratic' politics offered no channels for the redressal of Kashmiri grievance. By 1989–90, the slogan of *aazadi* (freedom) came to symbolize popular resentment and protest against the denial of democracy, and the demand for freedom from Indian rule over Kashmiri land. In response to a militant-led mass movement for independence by Kashmiri Muslims, the Indian state embarked on an extraordinary military occupation,¹⁰ combined with high levels of violence and repression in order to contain the rebellion.

Among the notable characteristics of Kashmir's revolt was the active participation of Kashmiri women during the most spontaneous phase of the struggle. Women's identification with Kashmiri nationalism and the movement for freedom drew them into a public sphere where they were at the forefront of mass protests against the Indian occupation of Kashmir and the atrocities by security forces against the local population. Thousands of women marched on the streets in Srinagar and clashed with police (*The Hindu*, 1990). Militant outfits such as Hizbul Mujahideen and the JKLF had women's wings – Binatul Islam and Muslim

Khawateen Markaz (MKM), respectively. Although the engagement of both outfits remained primarily political and non-military, their members supported welfare measures for affected families and worked on human rights issues. Yasmeen Raja and Zamruda Habib presently head the two factions of the MKM.

Armed with extraordinary repressive powers through special security legislation –including the denial of the right to life – Indian security forces launched a counter-offensive against Kashmiri militants. Since the mass protests were perceived as evidence of the movement's social base, the Indian state's counter-offensive was not limited to armed militants, but also included civilians. Women were the targets of gender-specific crimes by state personnel, including rape and sexual abuse, even as thousands of Kashmiri men were subject to enforced disappearance (there exist 15,000 widows and thousands of half widows of the disappeared). More than half a million people have been displaced and tens of thousands (some estimates cite 70,000 dead) are believed to have died during the conflict (Drohanovksa, 2010, 8; National Confederation of Human Rights Organisations, 2006; Bukhari, 2010). Since 2008, Kashmir's struggle for freedom from Indian rule has morphed into mass civic protests. On many occasions, stone-pelting by young people during street protests against India's military occupation has prompted unprovoked firing by state forces; in 2010, 122 unarmed Kashmiri young men were killed by security forces during civic protests across the Valley (Saliq, 2011).

Sensing an opportunity to thwart its rival, sections of the Pakistani establishment provided material and moral support for the rebellion from across the LOC. Paradoxically, however, instead of advancing their ostensible aim of dislodging Indian hegemony in Kashmir, the violation of international law by Pakistan only served to undermine the movement's moral and political moorings. The Pakistani intervention transformed a local Kashmiri-led struggle for justice by the Kashmiri Muslims against the Indian state into a wider India-Pakistan military confrontation in IJK, completely overshadowing its indigenous origins as well as its international legal dimensions. Pakistan's intervention in Kashmir also provided India with the opportunity to disclaim any responsibility for the rebellion and to represent it as a Pakistan-instigated conspiracy against the Indian state. Both states continued to engage in a nebulous military confrontation with nuclear overtones that received far greater media attention than local Indian tyranny in Kashmir.

The above history illustrates how the perpetuation of one legal injustice, namely, the failure of India and Pakistan to adhere to international law and UN resolutions on Kashmir, in turn inflicted a further injustice of unrepresentative and

repressive governance regimes in IJK. In the absence of popular consent, Indian rule in Kashmir hinged on militarily-backed repression to contain Kashmiri anger. The outcome of a policy privileging security forces over civil authority was the disabling and subversion of Kashmir's civil institutions. Ideological justification for such a policy was advanced through persistent evocation of an India as a unitary nation-state cosmology that endorsed institutional hostility towards ethnic minorities.

Instrumental use of the ethnic card by the state to promote the idea of an endangered 'nation' was especially expedient in regions such as Kashmir where the challenge to state legitimacy was vigorous. In the 1983 elections to Kashmir's state assembly, for instance, where the Congress-led national regime in New Delhi faced the National Conference (NC) – a predominantly but not exclusively local Kashmiri Muslim political party – the Congress won the elections on an explicitly parochial campaign, whereby the NC was accused of harbouring 'anti-national' and 'pro-Pakistani inclinations' (Bose, 1997, 121). Invocations of an endangered nation served to both politicize and delegitimize ethnic minority claims.

Conventional wisdom discounts the importance of ethnicity in shaping armed rebellion in India and the nature of the state's response to the same. However, in independent India, rebellion by ethnic minorities has been perceived and represented as a threat to the integrity of the nation-state and therefore deserving of a hard line response. Two points regarding ethnicity mandate emphasis here. The first relates to the disjuncture between an empirical reality of India as a multinational state and society, and a state narrative premised on the idea of India as a singular, unitary nation-state.¹¹ This discrepancy has been at the root of multiple rebellions by ethnic minorities across the periphery of the Indian nation-state. The standard state response to such rebellion has been the repression of all expressions of 'different' ethnic identity and/or political aspiration.

The second point is a corollary of the first: public denial of the existence of ethnic diversity and difference in India and state hostility towards ethno-nationalist movements have facilitated practices of institutional prejudice and discrimination against ethnic minorities. State-led politicization of ethnicity was internalized by state personnel who subjected ethnic minority populations to partisan, parochial and prejudiced governance practice whereby, as P. Sahadevan notes:

The state behaves more as an agent of the dominant/majority ethnic community. ... In many cases, it is virtually taken captive by the majority group to serve its ethnic interests while minority/

weaker groups face a threat of those institutions on which they rely for protection, equity and justice. ... The relevant intermediary institutions [such as] bodies of popular representation (parliament) and adjudication (judiciary) ... function like a mere rubber-stamp of the dominant/majority community (2013, 82).

The institutionalization of ethnic bias in governance policy in Kashmir produced a deep disjunction between the governing and the governed. More specifically, it meant that the methods, instruments and practices of repression employed by security forces against local ethnic minority populations transcended the conventional 'violence-against-civilians' frame. Rape of Kashmiri women by security forces is representative of the extra-legal nature of the Indian counter-offensive in Kashmir; it is equally representative of the state's resort to extra-legal means to inscribe political dominance on a recalcitrant ethnic minority through the sexual humiliation of ethnic minority women. Such gender-specific crimes against women by state personnel, as Surabhi Chopra maintains, are 'a form of ethnic persecution ... in areas where ... insurgent movements are active, state personnel might regard the stereotypes that attach to difference of ethnicity ... as intrinsic to the violence they are trying to control' (2016, 350).

Law and governance in IJK

India's Constitution affirms civil liberties and individual rights for all citizens, including the right to life and liberty; freedom of speech, expression, movement and peaceful assembly; equality before law; freedom of religion and the right to the writs of *habeas corpus*.¹² Although these rights are justiciable, i.e., subject to enforcement by the Supreme Court, they are not absolute or inalienable in that they may be withdrawn in the interests of the state. This is particularly the case in conflict zones such as IJK, where the assumption seems to be that the executive branch needs the flexibility to be able to declare any area as 'disturbed' and use force without having to worry about the fundamental rights of citizens (Baruah, 2010). Upon notification of an area as 'disturbed' by the central government, the entire local civil apparatus including the police, armed police and civil society ceases to play a role in civil administration, which subsequently transforms into a domain of security forces. With the entry of security forces and their appropriation of the police function of the maintenance of law and order, the latter ceases to be an exclusively civil/local state government matter (Noorani, 2003, 280). A new institutional hierarchy, with local police authority suborned to executive and

military authority is established, and the maintenance of law and order transforms from a local civil to a central/state security issue.

In its report on Kashmir, the People's Union for Democratic Rights – an independent civil society group – noted that the declaration of an area as disturbed is synonymous with the virtual ceding of local civil administration to the army. In the absence of coordination between civil and military authority, soldiers are under no obligation to carry out the orders of the district collector, district magistrate, or the superintendent of police (1998, 4). As security forces became part of the governance architecture in Kashmir, the equation between citizens and the state was greatly distorted. Such a mode of governance, according to Kannabiran, enabled the government to impose what can justifiably be called martial law, for which there is no provision in the Indian Constitution (2004, 115). If the Constitution is the legal basis of governance in India, this is certainly not the case in Kashmir, where executive and military authorities manifest cavalier disregard for constitutional law, rights and propriety.

Disturbed Areas Act and the Armed Forces Special Powers Act

Since 1990, Kashmir has been subject to a range of legislative provisions. These include, among others, the Disturbed Areas Act, the Jammu and Kashmir AFSPA and the Public Safety Act (PSA). There exists an inherent link between the first two pieces of legislation in that the Disturbed Areas Act is a pre-requisite for the imposition of the AFSPA. There is no clear legal definition for a disturbed area; the power to declare any area as 'disturbed' lies solely with the central government. According to the Asian Centre for Human Rights:

Unless an area is declared disturbed under Section 3 of the AFSPA, the central security forces cannot legally come to the aid of the civil administration. Under Section 3 of the AFSPA, the authorities only need to be 'of the opinion that whole or parts of the area are in a dangerous or disturbed condition such that the use of the Armed Forces in aid of civil powers is necessary.' There is no definition of what constitutes 'dangerous or disturbed condition.' The declaration depends on the satisfaction of the government officials; it is not subject to judicial review (2004).

Once an area is declared as disturbed by the central government, it becomes subject to the provisions of AFSPA. In contrast to the Emergency provisions of the Constitution (wherein fundamental rights may be suspended) – which mandate a Presidential proclamation and subsequent endorsement by Parliament – no such

constitutional checks are required for promulgating the AFSPA. Nor can AFSPA be subject to judicial review. The privileging of executive and military authority through AFSPA has transformed Kashmir into a space of illegality where, as Sanjib Baruah notes, AFSPA functioned as a localized variant of emergency rule, and yet, because it was not termed as such, this legislation evaded the limits and constraints imposed by democratic constitutionalism on emergencies (2010).

Among the most extraordinary provisions of the AFSPA is the protection to security forces from prosecution for crimes committed against civilians. Any citizen who wishes to move court against security forces for abuses committed under AFSPA must first seek the permission of the central government, which is almost never forthcoming (Human Rights Watch, 2006, 8). In its 54-year history in Kashmir and India's northeastern region where it has been in force since 1958, not a single member of the security forces has been prosecuted for crimes such as murder, rape and the destruction of property, including the burning of villages (Hazarika, 2013). A member of Kashmir's State Human Rights Commission described the legislation as 'hated' and 'draconian' (Dhar, 2012).

The AFSPA also violates Indian law on several counts. Section 4(c) of the AFSPA allows for arrest without warrant, which is in violation of the right to be informed of the reason for arrest and the right to be produced before a magistrate within 24 hours of being arrested (Article 22[5] of the Constitution). Similarly, Section 4(a) of the AFSPA – allowing the use of lethal force – violates the constitutional right to life (Article 21) and the constitutional right to equality before the law (Article 14). The exemption of the AFSPA from judicial review violates the right to move the Supreme Court of India to enforce constitutional rights (Article 32 [1]) (South Asian Human Rights Documentation Centre, n.d.).

Moreover, in contrast to the Indian Code of Criminal Procedure (CrPC), which allows for the dispersal of an assembly by a commissioned or gazetted officer through use of civil force, the AFSPA allows a non-commissioned officer to use maximum force to disperse an assembly to the extent of causing death. Similarly, in contrast to the CrPC (Sections 129–31), which defines the term 'assembly' as one that 'manifestly endangers' public security, the AFSPA classifies *all* assemblies as unlawful, thereby justifying the dispersal of legitimate, peaceful assemblies by coercive force. The AFSPA also violates international human rights law, including the right to life, the right to be free from arbitrary deprivation of liberty, and from torture and cruel, inhuman, or degrading punishment affirmed in the International Covenant on Civil and Political Rights (ICCPR) to which India is a signatory (Rana, 2005).

Public Safety Act

Augmenting the arbitrary powers of security forces through AFSPA is the Jammu and Kashmir PSA, which enhances the repressive powers of the local civil administration. The PSA is an IJK state government legislation used by local administrative authorities for detention of civilians without trial for a period of three months up to a maximum of one year. It grants civil administrative authorities including the state police the power to detain individuals without trial for 'acting in any manner prejudicial to the security of the State' or to 'the maintenance of public order' (Amnesty International, 2010). Much like the ambiguity regarding the definition of a disturbed area in the AFSPA, there is no clear legal definition of 'state security', or of acts deemed as 'prejudicial to public order'. Like the AFSPA, the PSA is beyond judicial review.

Detentions under the PSA in Kashmir have registered an increase over the years; according to Amnesty International, between 8,000 to 20,000 detentions are estimated to have occurred during the past two decades (2011, 12). Both the scale of detention and the lack of substantive evidence against detainees indicate that the PSA functions as a legislative fig-leaf towards the larger objective of containing Kashmiri resistance. In other words, the administration's resort to PSA is eminently political. As Amnesty International noted:

The PSA is being used to disable the first and second tiers of the leadership of the major pro-independence political parties, taking them 'out of circulation' and thereby preventing political mobilization ... there is little attempt on the part of the police to make out a criminal case against the detainee (2011, 42–43).

In a context of legislatively-backed repression and the denial of citizens' rights and liberty, the judiciary remains a crucial institutional bulwark against the abuse of public power and a means to ensure constitutional propriety. In the case of Kashmir, however, the independence and integrity of the judiciary has been consistently undermined by executive and military authority.

The judiciary in Kashmir

The judiciary is a key institution capable of restraining the abuse of power by public authorities and ensuring due process. Judicial authority in India, however, is not supreme. The absence of constitutional limits on executive and legislative power has produced an unsettled compromise between executive and legislative authority on one hand and the judiciary on the other. The Supreme Court and state High Courts are the protectors of citizens' fundamental rights and invested

with the power to issue writs of *habeas corpus* in order to enforce these rights; yet the power of both courts is simultaneously subject to executive and legislative restraint (Dam, 1964, 277–78; Ray, 1968, 32–33). Although the judiciary has the power to review any legislation, the legislature (parliament) retains the right to place certain legislation, such as AFSPA, beyond the ambit of judicial review (Shekhawat, 1994, 178). The possibility of a legal challenge to AFSPA thus stands eliminated.

At a local level, Kashmir's judiciary is unable to function normally because of the privileging of security forces by the AFSPA. Kashmiri courts are incapable of ensuring due process or providing justice, because court orders are routinely ignored or flouted by security forces (Human Rights Watch, 1999a). Noting the neutralization of Kashmir's judiciary by executive and military authorities in his report on Kashmir, jurist P. Varadarajan noted that Kashmir's courts were unable to restrain the abuse of power by executive and military authorities; judicial process existed only on paper, in practice it was ignored or subverted at will by executive and military authorities (1993, 20).

The sustained subversion of judicial power corroded Kashmir's civil criminal system. Victims of Kashmir's enduring human rights tragedy are unable to get justice due to the institutional paralysis wrought by a policy of privileging military power over judicial authority. Complaints by civilians against security forces are often thwarted at the initial stage. First Information Reports (FIRs) related to violence or abuse by security forces are not accepted or filed by the police. Since an FIR is the first step towards judicial recourse for victims, its non-acceptance pre-empts precisely this possibility. A neutralized and powerless police force is forced to defer to military authority, rather than to court orders. In an investigation on abuses by security forces against Kashmiri civilians, Ashok Agrawal noted that the police was disinclined to investigate or take action on complaints registered by civilians against security forces (2007, 1815).

For their part, local client regimes instruct the police not to comply with High Court rulings without informing the security forces first (Human Rights Watch, 1999b, 1). As a result, *habeas corpus* petitions have been routinely ignored, court directives circumvented and civilians, especially youth, hauled off to interrogation centres (Manecksha, 2011, 29). A report on Kashmir's judiciary by the Yale Law School noted that litigants routinely petition the Kashmiri court system to respond to claims against security forces for human rights abuses, and yet local lawyers could not recall a single case in which security forces were prosecuted and convicted for abuse (2009, 6). Amnesty International pointed to the existence of

a large number of pending *habeas corpus* petitions, the failure of local authorities to act on the orders of the High Court and the subversion of judicial process that rendered recourse to judicial remedy redundant (2011, 19).

The AFSPA and the PSA raise grave concerns regarding the legality of the local governance regime in Kashmir. If the principle of legality derives from clearly defined laws and legal procedures, then the AFSPA and PSA fall well short of this fundamental principle. The AFSPA has special significance with reference to gender-specific crimes such as rape by state security forces, since it accords impunity to security personnel guilty of rape. The following section situates rape by security forces in IJK within its overarching institutional context. More specifically, it focuses on the institutional response to sexual crimes committed by Indian security forces against Kashmiri women.

Rape by security forces: Accountability and justice

Since 1990, Kashmir has witnessed a remarkably high incidence of rape of women (Medecines Sans Frontieres, 2006). Although reliable statistics on rape in Kashmir are hard to come by, existing evidence indicates that the practice is frequent and widespread (Asia Watch and Physicians for Human Rights, 1993, 1, 6–16). In a statement in Kashmir's legislative assembly in October 2013, Chief Minister Omar Abdullah admitted to the registration of more than 5,000 cases of rape since the 1989 armed rebellion against Indian rule (*Kashmir Times*, 2013).

There are several dimensions to rape by security forces in Kashmir. This discussion focuses on its political dimension, i.e., the use of rape as a weapon of war against the Kashmiri people and as part of the methodology of state repression to contain Kashmiri resistance. A report based on women's testimonies from the Kashmir Valley confirmed that women are targeted by security forces both as punishment for their support of the struggle and as a means of breaking the movement itself (Dewan *et al.*, 1994, 21; Singh, 1990, 35). William Baker's testimony at the 52nd United Nations Commission on Human Rights is instructive in this regard:

Rape in Kashmir is not the result of a few undisciplined soldiers, but rather an active strategy of Indian forces to humiliate, intimidate and demoralize the Kashmiri people. This is evidenced by the fact that a number of the raped women I interviewed had been raped in front of their own families, their own husbands, and their own children (1992).

Paradoxically however, of all the crimes committed by security forces in

Kashmir, the rape of women has drawn the least response in terms of investigation and prosecution (Asia Watch and Physicians for Human Rights, 1993, 3–4; *Kashmir Times*, 2012). The absence of a prompt or proper institutional response to rape allegations by security forces in Kashmir is a measure of official complacency anchored in the impunity granted to state security forces for sexual crimes against women.¹³ Both serve to normalize modes of governance contemptuous of women's sexual integrity, judicial process, or justice. During her visit to India, Rashida Manjoo, United Nations Special Rapporteur on Violence against Women, noted that AFSPA was, 'eroding fundamental rights and freedoms—including freedom of movement, association and peaceful assembly, safety and security, dignity and bodily integrity rights—for women in Jammu and Kashmir' (Amnesty International, 2013).

Two cases of rape by security forces are relevant to this discussion. At a general level, both cases testify to the use of rape as an instrument of individual and collective humiliation and as a proxy weapon for inscribing domination (read defeat) on an ethnic minority population through the sexual subjection of ethnic minority women. More specifically, however, both cases highlight the normalization of modes of governance contemptuous of women's bodily and sexual integrity. The institutional response to such rape is representative of the general climate of impunity for state personnel and raises grave questions regarding state legality and legitimacy in Kashmir.

Kunan Poshpora

An incident of mass rape by soldiers of the Rajputana Rifles was reported in the hamlet of Kunan Poshpora, north Kashmir, on 23–24 February 1991. Police investigation into the crime never commenced because the police officer assigned to the case was on leave at the time and was subsequently transferred by his superiors; the case was closed by the Director, Prosecution, on the ground that the perpetrators were untraceable (Asia Watch and Physicians for Human Rights, 1993, 7). After his visit to Kunan Poshpora, Justice Bahauddin Farooqi, former Chief Justice of the Kashmir High Court, noted that in his 43 years on the bench, he had never witnessed a case in which normal investigative procedures were ignored to the extent that they had been in this one (Crossette, 1991).

In the wake of local outrage and international criticism, a Press Council of India report exonerated the army of any wrongdoing (Manchanda, 1991, 1899). The fact that security forces were absolved of any wrongdoing by a civil society organization strengthened both central and local client regimes of denial. In their report on Kunan Poshpora, Asia Watch and Physicians for Human Rights noted

that the committee's eagerness to dismiss any evidence that might contradict the government's version of events indicated that it was far more concerned about countering domestic and international criticism, than about uncovering the truth (1993, 8).

In 2013, in response to petitions on behalf of the survivors, IJK's State Human Rights Commission (SHRC) recommended a re-opening and re-investigation of the Kunan Poshpora case and prosecution of the police officer who had recommended its closure in 1991. The government ignored the recommendation of its own institution. Subsequently, in response to a petition by fifty young Kashmiri women in the J&K High Court in 2013 seeking implementation of the SHRC order, the police sought to file a closure report. In response to the protest petition on behalf of the survivors against filing of the report by the police, the Judicial Magistrate of Kupwara (the district where Kunan Poshpora is located), rejected the closure report and ruled in favour of further investigation in order to identify and punish the perpetrators.

The re-opening of the case has prompted ever greater determination on the part of the authorities to obstruct, stonewall and delay the course of justice for the women of Kunan Poshpora. The local state government argued that women had no right to file a petition after a gap of over two decades and local administrative efforts were geared towards scuttling any probe (Jaleel, 2013). According to Parvez Imroz, a lawyer representing the victims, 'the probes have deliberately been carried out at a snail's pace to tire the mass-rape survivors' (Falak, 2013). Delay tactics are relentlessly employed to pre-empt and subvert the course of justice for Kunan Poshpora in a case that epitomizes the sexualized edge of the Indian counter-offensive in Kashmir. According to the Jammu and Kashmir Coalition for Civil Society (JKCCS) – a Kashmiri civil society organization representing the survivors – the government was misleading the court over the rape incident and showing disrespect to the victims (*Kashmir Life*, 2013). The collective anguish, misery and hopelessness of the women of Kunan Poshpora was captured by Harsh Mander – a scholar-activist who was part of an Indian delegation that visited Kunan Poshpora in 2013:

Many women wept wordlessly. An old man whose aged mother was raped and who became permanently disabled by the torture he suffered, cried out: 'where is the justice for us?' ... Women spoke of 15 hysterectomies, the difficulties in getting their daughters wed, and the way memories of that night corroded their marriage and their lives. 'Without justice, what is the point of living?' lamented a

village headman. 'Twenty-two years have passed since that terrible night. ... Until today not a single person has been punished. How can we live?'

Shopian

In 2009, two young women, Asiya and Neelofar, were raped and murdered in the town of Shopian in close proximity to a highly militarized and policed zone flanked by encampments of the Jammu and Kashmir police (JKP), the Central Reserve Police Force (CRPF) and the Special Operations Group (SOG), which comprise uniformed renegade militants. Strengthening the case against security forces were two eye-witness accounts that testified to hearing women's screams for help from a police vehicle on the day of the crime. With the needle of suspicion pointing towards security forces, Kashmir's Chief Minister and the local police and senior officers of the Crime Branch and Intelligence Department, insisted on drowning as the cause of death, despite a forensic report in the First Information Report (FIR) registered with the local police confirming rape and murder (Chakravarty *et al.*, 2009, 3). The administration's attempt to advance the drowning theory paralleled its destruction of vital evidence for investigating the crime. Instead of gathering evidence and instituting investigation procedures, the police deliberately destroyed crucial ocular evidence at the crime scene and took more than a week after the crime to register an FIR (Chakravarty *et al.*, 2009).

An IJK government-appointed commission¹⁴ confirmed that the women had been raped and murdered. The commission indicted four policemen for procedural neglect, willful destruction of evidence and criminal failure; all four were arrested after intervention by the Jammu and Kashmir High Court. The arrested policemen admitted before the commission that they had committed grave dereliction of duty and allowed important evidence to be lost and destroyed in the initial stages of the investigation (Chakravarty *et al.*, 2009). The state government, in the meantime, filed an application before the High Court for the case to be handed over to a central government agency – the Central Bureau of Investigation (CBI). Despite opposition from the local High Court Bar Association, the CBI took over the case in September 2009.

The entry of the CBI was followed by the granting of bail to the four policemen guilty of destroying vital evidence and the suspension of the two doctors who had confirmed rape. With the consent of the victims' family, which still hoped for justice, the CBI exhumed the victims' bodies and conducted a second post-mortem of Asiya's body by a team flown in from Delhi. The case was declared

closed by the CBI after its proclamation that the women had not been raped or murdered, but had instead drowned. The agency then proceeded to neutralize all local actors and constituencies supportive of justice for the victims. Lawyers from the Shopian District Bar Association who opposed the CBI version were subject to pressure tactics and blackmail by members of the agency; Shopian's public prosecutor was questioned by the CBI with regard to his alleged links with the agitation; the bank accounts and tax papers of the family of the two deceased women were scrutinized; and the family itself was subject to hostile interrogation by the agency. The forced closure of the case virtually extinguished the possibility of legal remedy for justice for the victims (Duschinski and Hoffman, 2011).

Kunan Poshpora and Shopian illustrate the gendered edge of India's undeclared war in Kashmir. Both also foreground women's subjective experience of Indian (mis)rule in Kashmir. For precisely this reason, the truth of rape and sexual crimes committed by state security personnel is denied, concealed, or understated by the Indian state. Such rape exemplifies the illegitimacy of India's military occupation and its amoral and extra-legal mode of governance in Kashmir. Public exposure and indictment of sexual crimes against Kashmiri women by state-funded and state-armed security forces in Kashmir would conclusively dismantle and destroy India's assiduously cultivated veneer of democracy and legitimacy in Kashmir.

Conclusion

For over two and a half decades, India has attempted to repress, discredit and wear down a Kashmiri resistance that has been calling for an end to Indian rule in Kashmir. Aware of a local sentiment favouring freedom from Indian rule in Kashmir, and mindful of attracting international opprobrium for its extraordinary repression, India uses security legislation to mask its extra-legal tyranny in Kashmir. Women in Kashmir continue to pay an extraordinarily high price for a governance system usurped and dominated by the military. The daily lived experiences of women fearful of an intrusive and predatory security presence, as well as the struggles for justice of the widows of the disappeared and murdered, exemplify the illegality and illegitimacy of governance regime and practice in Indian-administered Kashmir. In general, law and governance have little meaning for Kashmiri women in an overarching context characterized by a denial of the right to life; the neutralization and/or subversion of civil governance authority; and impunity for sexual crimes committed against Kashmiri women by Indian security forces.

Attempts by Kashmiri women and Kashmir's civil society to move the local

courts in order to identify and prosecute the guilty are consistently thwarted by military authority intent upon evading accountability. As Essar Batool, who is part of an all-women support group for justice for the women of Kunan Poshpora put it, 'The fight for justice was 25 years long and still continuing. ... Impunity serves as bedrock to the unquestionable military occupation of Kashmir. In cases of sexual violence, this impunity allows security forces to get away' (Maqbool, 2016). The tragedies of Kunan Poshpora and Shopian highlight how *carte blanche* for security forces works to subvert the civil law enforcement machinery in order to protect the perpetrators of grave crimes. Both cases also exemplify governance regimes contemptuous of women's bodily and sexual integrity, and by extension, of the rule of law.

Laws and legislation are meant to serve people, not power. Quite the opposite, however, is the case in Kashmir, where as we have seen, security forces wield exceptional power, thus greatly distorting the equation between citizens and the state. Such a mode of governance – endorsed by successive regimes in New Delhi – is a variant of what can justifiably be called martial law (Kannabiran, 2004, 115). When laws serve only themselves, as in Kashmir, there is a lack of legal legitimacy. Legal legitimacy is inextricable from moral legitimacy (Thomas, 2013, 1). Legitimacy watches over laws, ensuring that they serve their fundamental purpose – to improve the lives of those they govern (Popovski and Turner, 2008, 1). If state legitimacy derives from adherence to legal and moral principles, India's regime in Kashmir is extra-legal, amoral and illegitimate because it serves the interests of (military and executive) power, not the aspirations or interests of the people of Kashmir.

Endnotes

- 1 United Nations Security Council Resolution (UNSC) 1325 calls for the adoption of a gendered perspective on armed conflict. It recognizes the targeting of women by armed elements; affirms women's special concerns and interests during armed conflict; and emphasizes the full and equal participation of women in conflict resolution and prevention. UNSC 1325 was adopted by the United Nations Security Council on 31 October 2000.
- 2 The Indian state of Jammu and Kashmir comprises the regions of Jammu, the Kashmir Valley and Ladakh. The term Kashmir refers to the Valley of Kashmir, also the location of the present conflict. IJK refers to the state as a whole.
- 3 Princely states were not governed directly by British colonial authority. They were British protectorates under the control of their respective hereditary monarchs. On the eve of Independence in 1947, there were a total of 565 princely states in the subcontinent.
- 4 Pakistan's claim to Kashmir rested on the latter's Muslim-majority population. Of Kashmir's four million inhabitants, more than three-quarters were Muslim.

- 5 While Pakistan claimed Kashmir by virtue of its Muslim population, for India the failure of a Muslim-majority state to join the Indian Union undercut its claim to be a secular state.
- 6 'The question of the accession of the state of Jammu and Kashmir to India or Pakistan will be decided through the democratic method of a free and impartial plebiscite.' Resolution adopted at the United Nations commission for India and Pakistan (UNCIP), 5 January 1949. See also United Nations Security Council Resolution, 21 April 1948.
- 7 'The Government of India and the Government of Pakistan reaffirm their wish that the future status of the state of Jammu and Kashmir shall be determined in accordance with the will of the people.' UN Resolution on Kashmir, 13 August 1948.
- 8 According to A. G. Noorani, 'From 1954 to 1994, 47 orders were made by the President unconstitutionally extending to Kashmir 94 of the 97 entries in the Union list and 260 of the 395 articles of India's constitution' (2014).
- 9 Judicial review refers to the power of a court to examine and assess whether the legality of a law, executive decree, or other public action is in consonance with the Constitution and to declare the same unconstitutional and invalid if it is not. It is a powerful and crucial legal protection of individual rights and freedoms against the abuse of power by legislative and executive authority (See Sharan, 1978).
- 10 Independent estimates cite a figure of at least 5,00,000 troops including, among others, the Indian army and paramilitary regiments such as the Border Security Force (BSF), Central Reserve Police Force (CRPF) and Special Task Force (STF) (Varadarajan, 1993, 5; Baker, 1994, 43; Bose, 2000, 100; Kak, 2014).
- 11 The Government of India insists that, 'The Indian people do not accept the proposition that India is a multinational society. *The Indian people constitute one nation*' (Singh, 2010, 105–06; emphasis in original).
- 12 Article 19 of India's Constitution guarantees, among other rights, the right to freedom of speech and expression, peaceful assembly and mobility. Article 21 guarantees protection to the life and liberty of all citizens. Article 25 guarantees the freedom of religion.
- 13 In January 2013, a central government-instituted panel headed by a former Chief Justice of India, Justice J. S. Verma, recommended that security forces be brought under the purview of ordinary criminal law instead of army law in cases involving sexual crimes against women. The recommendation was ignored by the government.
- 14 In June 2009, a judicial probe headed by Justice Muzaffar Jan was ordered by Chief Minister Omar Abdullah to investigate the rape and murder of Asiya and Neelofar in Shopian.

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‘Survival Is Now Our Politics’

Kashmiri Pandit Community Identity and the Politics of Homeland¹

Haley Duschinski

Introduction

This chapter analyses the politicization of Kashmiri Pandit collective identity in the 1990s, a period when the majority of Kashmiri Pandits living in the Kashmir Valley left the region at the onset of the armed resistance movement and relocated to Jammu, Delhi, and other towns and cities throughout India. It specifically demonstrates how the community discourse issued by Kashmiri Pandit associations across the decade reflected and refracted the right-wing majoritarian projects of the saffron wave of Hindu nationalism in India. It also highlights the ways in which this community discourse sought to constitute and constrain the heterogeneous lived experiences of individual Kashmiri Pandits with diverse ways of remembering, negotiating and imagining their relationships to Kashmir. This analysis of the Kashmiri Pandit community discourse draws on a number of sources, including articles in daily newspapers and weekly magazines, community publications such as white papers and human rights reports, collections of essays written by Kashmiri Pandit scholars and personal interviews with community leaders during my anthropological fieldwork in New Delhi from 1998 to 2000.

The dynamics described in this essay have deepened and developed since the time it was first written. Kashmiri Pandit community organizations have continued to be closely aligned with Hindu nationalist political movements, especially with the BJP's return to power under the leadership of Prime Minister Narendra Modi in 2014. Panun Kashmir, a Kashmiri Pandit organization discussed in detail later in this chapter that came into existence at the end of 1991, has actively worked to advance its agendas by applying pressure on various public figures and political parties and by demanding state restrictions on cultural expressions that run counter to its vision of Kashmiri priorities, commitments and concerns. For

instance, in 2012, Panun Kashmir joined other right-wing organizations in forcing a state ban on a Kashmir seminar featuring the critically acclaimed documentary *Jashn-e-Azadi* (How We Celebrate Freedom) by filmmaker Sanjay Kak, himself a Kashmiri Pandit, at a college in Pune, Maharashtra.

As in the 1990s, Kashmiri Pandit community associations have continued to mobilize around the issue of return to the homeland in response to various government schemes to develop separate colonies, transit camps and securitized townships for Kashmiri Pandits in the Valley. At a conference in Jammu in February 2016, another Kashmiri Pandit organization, All India Kashmiri Samaj (AIKS), issued a resolution demanding ‘concentrated settlements’ that are ‘self-sufficient in terms of overall infrastructure, economic avenues, adequate land, decent accommodation, educational institutions, healthcare, recreation centres, commercial infrastructures and security’ (*India Today*, 7 February 2016). Recent reports about government plans to develop separate townships for Kashmiri Pandits in Kashmir have prompted debate across Kashmiri society and within the Kashmiri Pandit community about whether and how Kashmiri Pandits should live in Kashmir and who has the authority to make these decisions.

Kashmiri Pandits have also contributed to the wave of Kashmiri cultural production circulating across South Asia and the globe in the past decade. Siddharth Gigoo’s novel, *The Garden of Solitude* (2011), tells a complex story of the lives of migrants in the Kashmiri Pandit migrant camps of Jammu, highlighting the different experiences and attitudes across three generations of kin. Sudha Kaul’s melancholic memoir, *The Tiger Ladies* (2002), romanticizes a depoliticized and dehistoricized Kashmiri past through the story of four generations of Kashmiri women living inside and outside of the Valley, while Rahul Pandita’s memoir, *The Moon Has Blood Clots* (2013), reproduces dominant community discourse through the lens of family memories spanning modern history from the post-independence years, through the tumultuous period of 1989–90, to debates over resettlement and rehabilitation in the early 2000s. Nitasha Koul’s novel, *Residue* (2014), shortlisted for the Man Asian Literary Prize in 2009, tells the story of young Kashmiri intellectuals struggling to make sense of their histories and identities as they follow transnational circuits across Delhi, London and Berlin. Gigoo’s and Koul’s commitments to non-communal modes of cultural representation and political engagement challenge dominant forms of Kashmiri Pandit community discourse and question the existence of a homogenous narrative that encapsulates Kashmiri Pandit experience since the 1990s.

Political communities and political life in India

Like any study of Indian political life in the 1990s, this analysis of Kashmiri Pandit community identity must consider the ways in which communities enter into the workings of political power through strategies of intervention and mobilization. In modern India, government allocation of resources has typically been conducted through 'vote bank politics' at the level of communities, as segments of the population make collective claims against the state through the politics of group representation.² In the 1970s, the proliferation of developmental policies of welfare provision and populist techniques of political mobilization coincided with new patterns of governance, as state agencies increasingly sought to administer rehabilitation, relief and protection to population groups through the medium of representative community organizations and associations (Gupta, 1998). The intensification of political mobilization, particularly among poor, minority and disadvantaged population groups, led to an expansion of political participation and also a reification of political communities, as more and more categories of the population presented themselves as stable and unchanging collectivities in order to legitimize their claims against the state (Hansen, 1999; Khilnani, 1999, 49–50).

Through these processes, communities emerged in India's political culture as distinct political actors through the institutionalization of a homogeneous collective history, the implementation of alternative constitutional and legal systems and the performance of violence and control over dissent (Das, 1995, 16–17). In these ways, communities as political formations ultimately reproduced the logic of the state that they were trying to contest.³ Attention to these communities, not as institutions apart from state and society, but rather as sites of powerful symbolic and cultural production, sheds light on the irreducibly contested nature of identities, collectivities and constituencies in modern India.

The emergence of the Kashmiri Pandit community as a political actor in the 1990s was framed by the rise of Hindu nationalism, as the BJP and its affiliate members of the Sangh Parivar increasingly articulated a conservative and populist form of political mobilization associated with the saffron wave of Hindu nationalism. This was a period of significant shifts in Indian political life through the expansion of political participation among non-elite classes and the opening up of the market economy through neoliberal economic policies that facilitated the rise of consumerism and the exposure of the middle classes to global markets. As many scholars have described in detail, Hindu nationalist parties operated through a discourse of majoritarian politics, combining a

jingoistic discourse of xenophobia and intolerance with a populist discourse of rights and entitlements (Basu, Datta, Sarkar, Sarkar and Sen, 1993; Hansen, 1999, 2001; Jaffrelot, 1996).

Through its brand of conservative populism, the Hindu nationalist majoritarian movement attracted privileged groups that felt themselves vulnerable to encroachment from empowered minorities as well as impoverished groups seeking inclusion in the rhetoric of national pride, order and strength (Hansen, 1999). The Sangh Parivar situated itself in opposition to the Congress-dominated political establishment by identifying the secular nationalist position as a partisan form of religious appeasement that provided minority groups, particularly religious minority groups, special privileges and advantages over the majority. Hindu nationalism tapped into the anxieties of the middle classes and aspiring middle classes at a time of significant political and economic change in the country.

In political manifestos, speeches and slogans, Hindu nationalist parties highlighted the plight of the Kashmiri Pandit community, arguing that national political leaders had implemented policies to appease Kashmiri Muslims for decades in order to demonstrate their commitment to the principles of secular nationalism, but had failed to provide adequate protection to the minority Kashmiri Pandit community simply because they shared the religious affiliation of the Indian majority. This Hindu nationalist rhetoric presented the anxieties of the Kashmiri Pandit community as a mirror of the anxieties of the Indian middle classes, who felt themselves vulnerable to increasing mobilization among minority and impoverished classes. It also enabled Hindu nationalist political parties to strengthen their claim as the defenders of national boundaries and national interests in India.

In the 1990s, Kashmiri Pandit community organizations positioned themselves within this framework through their own forms of community discourse. In the following sections, I outline the key points of Kashmiri Pandit community discourse from that period, with special attention to the way in which community organizations expressed and framed the critical issue of 'return to homeland'. This community discourse operated in the domain of public culture, which may be defined as the social field within which individuals imagine, represent and recognize themselves (Hansen, 1999). In her analysis of Sikh militant discourse, Das demonstrates that political language in the public culture of community serves to create a 'we' group out of a heterogeneous community 'to function as an effective political agency within the context of the modern state structures in India' (1995, 118).

Similarly, Kashmiri Pandit discourse casts the dispersed community as a unified *biradari*, a term that refers to a group of separate lineages of the same caste spread over many villages. This *biradari* coheres as a moral community with a common purpose and common platform through the illusion of consensus, constituted in the domain of public culture through discursive moral stories that frame the experiences of Kashmiri Pandits in particular ways. As this essay demonstrates, Kashmiri Pandit community discourse aligns with Hindu nationalist discourse by emphasizing the superiority of Hindu religious and cultural tradition, the decline of Hindu culture, the loss of Hindu homeland, the fear of encroachment by Muslims and other poor and plebeian classes, and the desire for special recognition by the state. As I discuss in the conclusion, this community discourse has framed the ways in which Kashmiri Pandits imagine homeland and their relationship to it, with implications for the perceived possibilities of return to the homeland.

A brief history of Kashmiri Pandit associations

As Mridu Rai (2004) and Chitralkha Zutshi (2004) have argued, Kashmiri community identities have been significantly shaped by the interplay of regional, religious and class divisions that shifted in relation to one another throughout the colonial period from the late nineteenth into the early twentieth centuries. By the late eighteenth century, Kashmiri Pandits, the small minority that had become established as the clerical caste of revenue administrators and office holders, enjoyed privileged access to educational and occupational opportunities in relation to Kashmiri Muslims. In the early twentieth century, Kashmiri religious identities became mobilized through a series of processes, including the practices of the Dogra state, the state's contact with British India and the rise of a newly educated Kashmiri Muslim leadership (Zutshi, 2004). These shifts produced a collective sense of vulnerability for Kashmiri Pandits in light of their dependence on employment in state administration. As Rai and Zutshi both argue, these religious identities have continued to exist in tension with one another into the postcolonial era, through what Zutshi refers to as 'the ongoing dialogue between religious identities, community definitions, and a deep longing for a homeland with just rulers that continues in Kashmir to this day' (2004, 322).

Kashmiri Pandits relocated out of the Kashmir Valley in significant numbers during the colonial period, with communities engaging in considerable self-conscious reflection on the preservation of cultural identity, values and traditions under conditions of political adversity and social change. As Henny Sender (1988) has shown, Kashmiri Pandit community associations flourished outside the Valley

in the nineteenth and early twentieth centuries among community members living in the areas that were then known as the Northwestern Provinces and Oudh, the British province of Punjab and some of the princely states of central India, Rajputana and the Punjab. As urban elites who had worked in government service for generations, Kashmiri Pandits in these areas formed Kashmiri *mohallas* (enclaves) in the northern towns, such as Amritsar, Allahabad, Agra, Lahore and Lucknow, which were the centres of the former imperial and princely courts. These towns, according to Kusum Pant, ‘were the nerve centers of Kashmiri Pandit life, linking Kashmiris in these cities through kin, *biradari*, and marriage relationships with their caste-fellows scattered all over northern India’ (1987, xv). Community members, through the work of community associations, made self-conscious efforts to preserve their distinctive identity as Kashmiri Brahmans while participating in the world of the Urdu-speaking elite in northern India.

As the British Raj replaced Mughal imperial rule as the source of administrative employment and political authority after 1857, Kashmiri Pandits, finding themselves poorly adapted to their new administrative environment, engaged in collective discussions on issues concerning tradition, authority and unity in the community. These discussions focused on the concept of social reform. Reform was problematic because it forced consideration of the values and practices that were part of the community’s identity. Sender identifies the emergence of three alternatives in community magazine articles during that time: Anglicization and westernization; reaffirmation of Hindu Brahman religious identity through Sanskritization; and a turn towards Kashmir (1988, 131–43). The controversies and debates on issues such as student boarding houses, ritual expenses, diversification of livelihood and female education demonstrate the community’s strategic evaluation of these three alternatives.

The suggestion of a turn towards Kashmir was the least practical of the three; some community leaders floated the idea of purchasing land in Kashmir, but the plan never developed. Pant notes that Kashmiri Pandits in the late nineteenth and early twentieth centuries did not have a strong urge to return to Kashmir and did not participate in social and political movements taking place there. At the same time, however, ‘the romantic view of Kashmir and the sense of being exiles or expatriates which it bred reinforced a feeling of separateness from non-Kashmiri Pandits and strengthened the bonds that linked members of the Kashmiri community together’ (Pant, 1987, 8). The community thus cultivated an attachment to Kashmir as a land of common origin, but not a place of current connection.

New associations emphasizing preservation of the social values and cultural

traditions of the dispersed community emerged among these urban elites after Indian independence. One of the earliest of these new associations was the Kashmiri Pandit Association at Varanasi, founded in 1946 prior to Indian independence by students and faculty affiliated with Banaras Hindu University (Dhar, 1995). Another prominent association was the Kashmir Sabha Calcutta, which formally adopted its constitution in 1955 and pursued regular activities in the 1960s, including festival celebrations, children's functions, community outings and publication of a monthly newsletter. These local associations were brought together under an umbrella organization called the AIKS, formed in Allahabad in 1979 under the leadership of Justice P. N. Bakshi, who had also founded the Uttar Pradesh Kashmiri Samaj (Dhar, 1995). These AIKS *biradari* units in the 1980s fostered and preserved a sense of cultural identity by holding meetings, functions, picnics and celebrations. They also addressed community concerns, including the dowry system, education and employment problems, preservation of cultural heritage and propagation of the Kashmiri language.

Delhi, established as the oldest and largest Kashmiri Pandit centre outside Kashmir since the Mughal period, became a focal point of *biradari* activity after Indian independence. A group of Kashmiri Pandits in Delhi founded the Kashmiri Cooperative House Building Society in 1950, purchasing 26 acres of land at Kalkaji in south Delhi in order to develop an enclave for community members 'with the definite objective of maintaining and perpetuating their culture and traditions' (Raina, 1995, 552; see also Kachru, 1995, 564–65). This area developed into Pamposh Enclave, with approximately 150 plots, ranging from 200 to 700 square yards, for residential purposes (Raina, 1995, 553). The Kashmiri Samiti Delhi emerged in the 1950s, with many of its members located in Pamposh Enclave, and began circulating a community magazine, *Koshur Samachar*, in the 1970s.

The Kashmiri Pandit migration

The onset of the armed phase of the freedom struggle in 1989 was a chaotic and turbulent time in Kashmir (Bose, 2003). Kashmiri Pandits felt an increasing sense of vulnerability and insecurity in response to what they perceived as a threatening atmosphere in the region (Evans, 2002). These feelings were exacerbated by a series of actions directed against their community, including attacks on prominent Kashmiri Pandit politicians and advocates, displays of hit lists with the names of specific Kashmiri Pandit individuals, and acts of violence in Hindu localities in Srinagar and elsewhere in the region. Community members were particularly affected by the selective killings of prominent community members, such as

high profile politicians, bureaucrats, lawyers and judges. Many Kashmiri Pandits, uncertain of their role in relation to the freedom struggle at this stage, decided to leave the Valley. Although various political stakeholders dispute the number of Kashmiri Pandits who left the Valley at that time, Alexander Evans estimates on the basis of census data and demographic figures that over 1,00,000 left in a few months in early 1990, while 1,60,000 in total left the Valley during the 1990s (2002, 23–26); T. N. Madan uses similar figures (1989, xviii–xix).

Most Kashmiri Pandits initially settled in temporary arrangements in Jammu, the major city in the predominantly Hindu southern region of the state of Jammu and Kashmir.⁴ They arrived in Jammu to find that the state had made no preparations for their accommodation, relief, or rehabilitation and that problems of overcrowding severely limited their options for housing or employment. Many followed family networks or job opportunities to New Delhi, making the capital city the second largest relocation site. There were generational differences in these relocation patterns, as individuals described Delhi to me as ‘the city of youths and jobs’ and Jammu as ‘the city of parents and depression.’ As Kashmiri Pandits began arriving in Delhi, they found that their strongest supporters included established Kashmiri Pandit families who had relocated to Delhi generations earlier, political figures with vested interests of their own and Hindu nationalist sympathizers who identified the community’s departure through the lens of religious persecution. These advocates worked through powerful community organizations to provide medical care, education and moral and financial support to Kashmiri Pandit families (Duschinski, 2007, 93).

The *sabhas*, *samitis* and associations in towns and cities outside of Kashmir Valley responded to these community developments. As one community leader told me:

Whenever KPs [Kashmiri Pandits] have left Kashmir and ten or twelve families have settled in a place, they have formed a society among themselves. In Lahore, Lucknow, Allahabad, Agra – large groups settled there and these associations formed. First they formed the Kashmiri association and the Kashmir *bhawans*, through a plot of land for the community center. You will find these Kashmir *bhawans* before 1990, if there are just 50 families, a Kashmir *bhawan* is bound to be there, in all cities. Before 1990 these *samitis* were more or less dormant. People would assemble on navreh perhaps and the *samiti* would issue a newsletter with births, deaths, marriages. But in 1990, with the influx of 3,50,000

people to each and every part of the country scattered, now these *samitis* got activated to come to the relief of people coming out of the Valley. They were purely social and cultural societies before that and social and cultural since.

The AIKS, as the apex body of Kashmiri Pandit associations, became 'activated' in this way by functioning as the connecting and coordinating link among the local associations. In 1992, it consisted of 30 affiliated associations functioning in different parts of India, one in the UK covering Europe and one in Michigan covering the United States. The affiliates were autonomous bodies, each working for the 'social and cultural advancement and welfare of the community' in its area. The AIKS represented the interests of the community members by meeting various authorities in the state and central governments, organizing seminars, participating in demonstrations, and bringing the plight of the community to the attention of the general public (Bakaya, 1995).

In the 1990s, the Kashmiri Samiti Delhi emerged as the most influential community organization in the country by managing the large numbers of community members arriving in the capital city and also by negotiating with elected leaders at the city, state and national levels for relief. Beginning in late 1989, the Kashmiri Samiti Delhi opened the community hall of the Kashmir Bhawan to individuals and families who had nowhere to stay in the capital city, providing temporary shelter for hundreds of Kashmiri Pandits before the municipal government granted community halls as migrant camps in neighbourhoods throughout the city. Families lived in these camps temporarily, for months or years, before finding rental accommodation elsewhere in the city. Families chose to live in them as long as possible in order to save money, in some cases, and participate fully in the political life of the community, in others. The Kashmiri Samiti Delhi also coordinated relief efforts by appealing to the Delhi municipal government and the central government for the establishment of transit camps, the provision of cash stipends and the distribution of rations. It became recognized by the union government as the nodal agency for displaced Kashmiri Pandits.

The Kashmiri Samiti Delhi pursued these activities through the language of cultural identity, values and traditions, thereby carefully maintaining its concern with social and cultural matters as opposed to political ones. However, the distinctions between social and cultural concerns, on the one hand, and political concerns, on the other, were not so sharp. Chaman Lal Gadoo, President of the Kashmiri Samiti Delhi in the early 1990s, reflects on these issues in a published interview entitled 'Survival is Our Politics':

Q: What change do you see in Samiti activities in last ten years?

A: Role of Kashmir Samiti was basically social and cultural. But the year 1989 onwards was a disaster for the entire community. Our existence is threatened and we had to change our priorities. ...

Q: Some people say that Kashmiri Samiti has now been made political Akhara [literally ‘martial regiment’]?

A: I do not agree with such statements. I feel community leaders have a responsibility. If I see my people dying for want of basic necessity education, etc. I cannot remain a silent spectator. I will fight for every needy Kashmiri Pandit. Survival of my community members is now our politics (1999).

By using the phrase ‘political *Akhara*’, the interviewer was suggesting that the organization was attempting to assert political force in pursuit of a particular moral and spiritual order. Gadoo, in response, emphasized the efforts of the organization in terms of relief work to ensure the survival of the community. If this is politics, he seemed to say, then so be it.

Homecoming as patriotic imperative

The Kashmiri Samiti Delhi discursively constructs the Kashmiri Pandit community in particular ways through its articles, editorials, white papers, appeals and reports. This discourse is circulated among community members through *Koshur Samachar*, a monthly magazine published by the Kashmiri Samiti Delhi and circulated among approximately 2,000 subscribers at the time of my fieldwork. *Koshur Samachar* changed dramatically in tone, format and appearance after 1990 in response to increasing attention to the changing circumstances facing the Kashmiri Pandit community. Every issue contained a preliminary editorial statement addressing a current matter of significant concern to the community, followed by a series of articles discussing various aspects of the cultural heritage and political battles of Kashmiri Pandits. Other regular features included a summary of news ‘from the president’s desk’, a brief cultural/religious commentary on the current calendar month, a series of poems by young and old, a selection of letters to the editor and a roundup of the *biradari* news from cities throughout India.

There were also sporadic reports on the activities of the Kashmiri Samiti Delhi, summaries of community conferences and symposia, copies of relevant articles published in daily newspapers, printings of first-person reflections and reveries on life in the Valley, short stories and folktale and reprints of important

memoranda and appeals. The magazine was financed in large part through the matrimonial section, which provided the opportunity for families to advertise for 'wanted brides' and 'wanted grooms', as well through space purchased by community members for family memorials, marriage announcements and holiday greetings. Businesses and companies, ranging from small entrepreneurs in Jammu to the Times of India Group in Delhi, also purchased advertising space in the magazine's pages.

The discourse presented in *Koshur Samachar* highlighted the importance of protecting the distinctive identity of the community against the threat of Islamic fundamentalism, which was cast as the enemy of Kashmiri Pandits and, by extension, the Indian nation. Through a series of discursive slippages, Kashmir Valley and India were mapped onto one another as interchangeable homelands, such that the protection of one necessitated the protection of the other. In this way, the community discourse cast the preservation of Kashmiri Pandit identity as the moral responsibility of the Indian nation.

The primary claim of the community discourse was that the Kashmiri freedom struggle was an expression of Islamic fundamentalist violence set within the context of regional politics in South Asia:

The militant violence in Kashmir is an ideological struggle which is fundamentalist in outlook and basically communal in character. ... The terrorist violence is not a local eruption of political dissent or discontent, nor is it a political movement geared to objectives which involve change in the instruments of power or processes of political participation. It is a religious crusade, the continuation of the Muslim struggle for the separate Muslim homeland in India, to complete the partition of India by securing the Muslim majority state of Jammu and Kashmir for the Muslim State of Pakistan (Teng and Gadoo, 1991, 31).

Through the invocation of a religious crusade, a striving for *nizam-i-mustafa*, and a campaign against the *kafir*, the community discourse framed the armed insurgency as the pursuit of the Islamization of the Kashmir Valley in an effort to complete the 'unfinished business' of Partition. The source of the insurgency was identified outside of Kashmir, with Pakistani agents luring impressionable Kashmiri Muslim youths across the porous LOC into terrorist training camps in Pakistan-administered-Kashmir and brainwashing them to torture and torment Kashmiri Pandits. By denying the political agency and political consciousness of Kashmiris who participated in and supported the armed insurgency, the Kashmiri

Pandit community discourse refused to recognize the legitimacy of the freedom struggle as a popular movement for self-determination in accordance with the United Nations Security Council resolutions and political promises at the time of independence and partition.

Community discourse represented Kashmiri Pandits as a small and innocuous community whose very presence in the Kashmir Valley obstructed the movement of fundamentalist Islam. This representation suggested that the armed insurgents directed their violence against Kashmiri Pandits because Kashmiri Pandits represented the secular values of the Indian nation. ‘Pakistani rulers realize that as long as Kashmiri Hindus even though miniscule in size stay in Kashmir, their dream of Islamization of Kashmir will remain unrealized’, one article stated. ‘A Kashmir without Hindus, whatever their numbers, would be a Theocracy ripe for the Fundamentalists to establish their command post for further forays into the very heart of India’ (O. Trisal, 1991). The conflict in Kashmir was framed as the inevitable culmination of the clash between Hindus and Muslims, India and Pakistan, and secularism and fundamentalism in South Asia, with Kashmiri Pandits as its victims.

In this formulation, the plight of the community became an issue of national concern. If Kashmiri Pandits represented the values of the Indian nation, then the state bore the responsibilities of protecting their lives and properties in the Valley, providing support for them in exile and facilitating their return home. The state’s failure to fulfill these responsibilities constituted an act of heartless neglect, deliberate indifference and even ‘inexplicable and ignoble conspiracy’. This moral failure was a betrayal of the nation and its people.

This community discourse was nationalistic in tone, casting Kashmiri Pandits as true patriots who had sacrificed greatly for their devotion to the Indian nation. One contributor to *Koshur Samachar* noted that Kashmiri Pandits ironically ‘have become refugees in our own country, our only fault having been to hold the tricolour instead of joining hands with separatists in their so-called freedom struggle’ (Bazaz, 1992, 28). Another wrote:

The forced exodus of the blameless Kashmiris and its unspeakable aftermath is not only a shameful blot on the Indian government and the people responsible for bringing about this situation. It portends the death of secularism and the tearing to shreds the country’s fabric of integration so tenuously held together against the rapidly increasing ferocity of the assaults on it from within and outside India (*Koshur Samachar*, 1992).

According to the logic of these passages, Kashmiri Pandits, having been abandoned by the state to which they demonstrated their allegiance, occupied the paradoxical position of refugees in their own country.

This discourse claims that the salvation of the Indian nation can only be achieved through the return of Kashmiri Pandits to their homeland. The eventual return of the community members to their homes emerges as a patriotic imperative to preserve the honour and dignity of the nation. This return requires a radical transformation in the national vision of India and the position of Kashmir Valley within it. Once this radical transformation occurs, the community will be able 'to fulfill the sacred task of securing the integrity of India which has been our historical role in the face of continuing oppression earlier and especially since Independence' (Munshi, 1991).

Panun Kashmir and the homeland resolution

A new organization known as Panun Kashmir was founded at the end of 1991, as one representative told me, 'to work toward a cultural revival of the community and, since the Kashmiri Hindus were at the receiving end of persecution, to articulate a course in the political realm. Thus, there was a political objective as well'. Since then, the work of Panun Kashmir has been explicitly political. In December 1991, Panun Kashmir convened a large gathering, known as Magdarshan-91, in Jammu. At this convention the organization staked the claim of the political community to be an equal party to any future deliberations in the process of normalization and the development of an ultimate solution to the conflict in Kashmir. They did this by issuing a resolution proclaiming their commitment to the processes of secularism and democracy in India and their demand for a separate homeland for Kashmiri Pandits within the Kashmir Valley.

The resolution had four specific points: (1) the demarcation of a separate homeland for Kashmiri Pandits in the Kashmir Valley, comprising the regions of the Valley to the east and north of the river Jhelum; (2) the application of the Constitution of India in letter and spirit to this homeland, in order to ensure right to life, liberty, freedom of expression and faith, equality and rule of law; (3) the placement of the homeland under the central administration with a union territory status; and (4) the extension of the right of resettlement to all Kashmiri Pandits, including those who had left Kashmir for various reasons in the past and wished to return. The Margdarshan-91 effectively established a division of labour between the social and cultural work of the Kashmiri *samitis* such as

the Kashmiri Samiti Delhi and the political work of the emerging organizations such as Panun Kashmir.

The political demands of Panun Kashmir prompted much discussion and debate within the community. In February 1992, Kashmiri Samiti Delhi hosted a two-day meeting of the Executive Committee of the AIKS, including representatives of its affiliated units, at the Kashmir Bhawan in order to evaluate the situation facing the community and develop a consensus on the future course of action. Chaman Lal Gadoo, President of Kashmiri Samiti Delhi, opened the meeting with an address entitled ‘KPs at the Crossroads of History’ (1992). ‘There is an urgent need,’ he said, ‘more than ever it was, for the community to evolve a plan of action for the future rehabilitation and return of our people to our motherland’ (5). He continued by outlining the Kashmiri Hindu community’s ‘right to their motherland’:

I want to make one thing very clear. The Kashmiri Pandits will not renounce the right to their motherland. Kashmir belongs to us. Kashmir is our history, Kashmir is our home, Kashmir is our tradition. Our temples are in Kashmir and our entire past is associated with its soil. We will not allow to be dispossessed and our culture to be destroyed (Gadoo 1992, 8).

He also directed the AIKS Executive Committee to consider the resolution demanding a homeland as proposed by Panun Kashmir at Jammu. Some of the members of Panun Kashmir, who participated in the deliberations as observers, outlined the strategic benefit of having this kind of political slogan ‘in the fluid political situation’ in the country and the subcontinent. The AIKS Executive Committee decided that each member organization would decide separately whether to endorse the demand.

Community leaders circulated their perspectives on the political value of the Homeland Resolution through *Koshur Samachar*. The Kashmiri Hindu Samiti Kathua endorsed the demand for a separate homeland, warning the Government of India that ‘any act of underestimating Kashmiri Pandits will be counterproductive as the Biradari is fully aware of the acts of sabotage and suppression being engineered by the Govt. to harass Kashmiri Pandits and make them helpless’ (*Koshur Samachar*, 1992b, 19). The community leader Pamposh Koul also endorsed the agenda of Panun Kashmir, writing that:

Our homeland must be for all Kashmiris who have left Kashmir since 1400 AD lakhs and lakhs of them. Our brethren in the U.S.A.

and European countries can also exert pressure on the leaders and lobbyists there for such a proposal so that if Kashmir is surrendered by India we can have a territory to call our homeland (1992b, 18).

Other community leaders, however, urged caution on the development of these political agendas. At a meeting held in March 1992, several of the AIKS Advisory Council members emphasized that the community organizations should not pursue hard politics, such as making political demands relating to Article 370, but rather soft politics, such as encouraging Kashmiri journalists to project community viewpoints and sending delegations for private meetings with national leaders. These views also appeared, albeit with little elaboration, in *Koshur Samachar* (M. Koul, 1992). As these comments demonstrate, community leaders responded to the political call for a separate homeland on the basis of its perceived strategic value.

The Homeland Resolution gained momentum over the next few years, as Panun Kashmir developed political slogans, coordinated protest rallies, issued press statements, developed video documentaries and produced booklets and pamphlets. Through all of these efforts, Panun Kashmir articulated its political agenda in terms of the cultural identity, values and traditions of the community.

The discourse of recovery

The mid-1990s ushered in a new phase in the Kashmir Valley of what Sumantra Bose calls demoralization and atrophy (2003), with the state government pursuing campaigns of pacification and normalization. In March 1996, the Indian Election Commission announced that Jammu and Kashmir would participate in parliamentary elections for the first time since 1987. The state's reinstallation of a civilian government was closely tied to its formulation of rehabilitation schemes that would promote Kashmiri Pandit return to their homes in the Valley. In March, the Governor of Jammu and Kashmir constituted a rehabilitation council to encourage Kashmiri Pandits to begin the process of rehabilitation by moving into security zones created in the Valley. Through their discourse, community organizations responded strongly to these plans, rejecting them as empty forms of political posturing that would endanger the community by placing its members in harm's way while the armed insurgency was still ongoing. Echoing the language of Hindu nationalist political parties, community leaders called for more fundamental shifts in forms of political governance throughout the country in order to resolve the situation in Kashmir and establish safe conditions for the community's return.

Kashmiri Pandit organizations, including the AIKS, Kashmiri Samiti Delhi and Panun Kashmir, among others, convened at Kashmir Bhawan to discuss the situation. The participants agreed that the conditions in the Valley were not conducive to the community's return and that ground realities should change before they considered the possibility of return. Expressing concern over the rehabilitation council's public claim that representatives of some Kashmiri Pandit groups had expressed a willingness to return, they asked such members of the *biradari* to desist from their involvement in such government plans (*Koshur Samachar*, 1996). ‘The plan of the government to send them back to obtain a political mileage at the time of parliamentary elections is another attempt to use this community as pawns before gun totting terrorists’, wrote several senior community leaders in a letter to the editor of *Koshur Samachar* (Vaishnavi, Khosa and Kumar, 1996, 52). Gadoo addressed the elections in terms of secularism and democracy:

Though Kashmiri Hindus firmly believe in the democratic process which would ultimately lead to peaceful solution of the Kashmir problem, the manner and the undue haste in which the Government of India announced elections made the whole exercise meaningless and farcical. India needs a radical change, a shift from its dependence on Muslim communalism at the national level as well as at the international level. The present set up with its ideological commitment to Muslim communalism for power must be put an end to if India, its secular character and its democracy have to survive. The time has come for the initiation of united Hindu movements to save this country from disintegration. If Muslim Jihad succeeds in Kashmir, India will disintegrate. Our worst experience has been with most of the political parties in India, which have indirectly played the same game of promoting Muslim separatism to serve their political ends. Most of these parties sought to present Kashmir on a platter to the fundamentalist and separatist forces (1996, 16).

This discursive framing resonated with the Hindu nationalist majoritarian position that secular nationalist political parties had effectively promoted fundamentalism and separatism through their policies of ‘appeasing’ Muslim minority communities at the expense of the Hindu majority.

Shortly after assuming power, Chief Minister Farooq Abdullah of the National

Conference Party announced that he would coordinate a rehabilitation effort to facilitate the return of Kashmiri Pandits to the Valley and thereby 'restore the historic ethos and values disrupted by militancy' ('Rs 28 Billion Package', 1997). The new state government announced the creation of an Apex Committee to prepare short and long-term solutions to the problem of rehabilitation and a subcommittee, headed by Moti Lal Koul, to prepare an Action Plan for the return of Kashmiri Pandits to the Valley. These developments occurred without the support of Kashmiri Pandit community leaders, who vehemently opposed the state government's rapid movement towards community rehabilitation.

An escalation in violent attacks against Kashmiri Pandits living in Kashmir Valley called into question the state government's assertion of normalization in the region. On 22 March 1997, seven Kashmiri Pandit men were killed in Sangrampora, a hamlet 20 miles south of Srinagar in Badgam District in the Valley. This attack left a strong impression on the Kashmiri Pandit community, especially in light of the state government's attempts to incentivize rehabilitation. Kashmiri Pandit organizations in various cities – Jalandhar, Lucknow, Hyderabad, Kohlapur, Indore, Dharamsala – responded to the killings with meetings, resolutions, demonstrations and processions. Condemning the attacks, these various local organizations sharply criticized the National Conference government for its failure to protect Kashmiri Pandits remaining in the Valley. Gadoo issued a letter to the President of India, noting that 'under these circumstances it seems that return of Displaced Kashmiri Pandits to their birthplace is impossible in the near future' (1997a, 28).

Another attack occurred in Gool hamlet of Udhampur District on 15 June when men dressed in camouflage uniforms stopped the Gool-Ramban bus, removed the Hindu passengers and shot three of them in a nearby drainage ditch. The victims were Kashmiri Pandit schoolteachers in the Government Higher Secondary School of Gool. Kashmiri Pandit organizations, including the Kashmiri Pandit Sabha, the All-State Kashmiri Pandit Conference, Panun Kashmir, Panun Kashmir Movement and the teacher fraternity, organized a condolence meeting at Rajinder Park in Jammu. The teacher fraternity demanded that the state government transfer all Kashmiri Pandit employees then posted in dangerous places in Doda, Rajouri, Udhampur and Poonch to safer areas or to the headquarters in Jammu. The Sangrampora and Gool attacks prompted fresh departures of Kashmiri Pandits from those areas.

Despite these violent episodes, the Koul Subcommittee continued with its rehabilitation programme, meeting with groups of Kashmiri Pandits living in

camps in Delhi in late May and in Jammu in early June 1997. Koul told journalists after the meetings that Kashmiri Pandits felt that their return to the Valley could only occur when the majority community came forward ‘to protect the honour’ of the minority and that the proposed rehabilitation package would be useless ‘if the majority turned their faces away’ as they had done in 1989. The Kashmiri Pandits, he said, claimed that communication was occurring at the individual level between the minority and majority communities, but that such ‘social dialogue’ needed to be raised to the group level in order for rehabilitation to occur (*The Indian Express*, 1997). Based on these meetings, the Koul Subcommittee issued its interim report in July 1997. The report recommending a series of specific short and long-term strategies for facilitating rehabilitation was offered to Prime Minister I. K. Gujral on his visit to Srinagar in July.

Kashmiri Pandit community leaders, frustrated by their exclusion from these meetings, accused the Koul Subcommittee of misrepresenting the aspirations of the Kashmiri Pandit community, claiming that ‘stooges’ and ‘henchmen’ operating within the community presented statements about the community’s desire to return home (see *Koshur Samachar*, August 1997). Dwarkanath Munshi, the former President of AIKS, wrote in a special report:

The [*Vakil*] committee went wandering around in its efforts to meet individuals and sundry. What do they go out to offer or talk about without any formal authority? And what would they be able to take back with them without having the elementary knowledge and understanding of the multi-dimensional problems of the community in exile, dispersed in widespread areas, and of each family and each individual? (1997, 26).

His report emphasized the importance of Kashmiri Hindu political participation in the affairs of the state, demanding six seats for the minority community in the state assembly for the next 25 years and three representatives in parliament. The Panun Kashmir Movement, following an emergency meeting in Jammu, called the interim report ‘a dangerous trap for our hapless community’ and reiterated its demand for a separate homeland in the east and north of the river Jhelum (*Koshur Samachar*, 1997, 25).⁵

The Kashmiri Samiti Delhi hosted a series of special seminars to formulate official responses to the interim report specifically, and the rehabilitation proposal more generally. An article in *Koshur Samachar* clearly stated the position of the Kashmiri Samiti Delhi:

The Kashmiri Samiti, Delhi, is of the firm view that Kashmiri Pandits have an inalienable right to go back to their homes and hearths in Kashmir as and when normalcy is restored in the Valley. The gimmickery resorted to by the State government will not in any case inspire the migrants to go back in accordance with the government's wishes but they would definitely go back to their homes as soon as the law and order situation in the State becomes convincingly conducive to their return (Gadoo, 1997b, 5).

In the meantime, the article said, the migrants needed improvements in community relief, including matters of jobs, admissions to higher educational institutes and professional colleges, and collective representation in various sectors of the administration and the legislature. In August, a group of Kashmiri Pandit associations issued a set of conditions for the return of the community members to the Valley: (1) the integration of Jammu and Kashmir state into the 'secular, constitutional fabric of India' through the abrogation of Article 370; (2) the reversal of the precedence of Muslims in the government and society of the state; (3) the re-establishment of demographic balance between Hindus and Muslims in Kashmir and Jammu; and (4) the restoration of Kashmiri Hindu houses, lands and temples ('What Must Be Done', 1997).

In January 1998, the Jammu and Kashmir state government announced a 28 billion rupee rehabilitation package for Kashmiri Pandits who had left Kashmir Valley during the insurgency. The package included a rehabilitation incentive of ₹1,00,000 for each family willing to return to the Valley, a reconstruction grant of ₹1,50,000 for each house, a sustenance allowance of ₹3,000 for private sector employees, waivers of loans and incentives for unemployed youths. It also authorized the creation of an authority of Protector General of Migrant Properties and the establishment of transit settlements at Srinagar, Baramulla and Anantnag for those community members who were willing to return. This rehabilitation scheme, which had been under development for several years, represented the state government's attempts to legitimize a superficial return to normalcy in the region.

The massacre of 23 Kashmiri Pandits in their homes at Wandhama village, near Ganderbal, on the night of 25 January 1998, the eve of Republic Day and the night of Shab-e-Qadr, the holiest night of the month of Ramzan, severely undermined the state's normalization claims during this period. Kashmiri Pandit organizations in Delhi responded vehemently, launching public protests against the state government. These organizations called on the central government to dismiss Farooq Abdullah's administration and reconsider the rehabilitation

schemes. Members of the community widely discussed the Wandhama massacre, which received extensive coverage in the national media and also in community publications. The Kashmiri Samiti Delhi devoted an entire issue of *Koshur Samachar* to Wandhama, featuring editorial articles as well as photographs from the scene of violence. The Wandhama massacre, even more so than the previous attacks, convinced community members that the newly elected state government had not implemented the necessary conditions for Kashmiri Pandits to return to Kashmir.

Provisional homecomings

In the late 1990s, as Kashmiri Pandit associations continued to highlight the insecure conditions of the state, stories began to circulate throughout the community about Kashmiri Pandits who were safely beginning to visit their home villages in the Valley. Although community leaders remained skeptical, many Kashmiri Pandits living outside of Kashmir were seriously debating the notion of returning home. These debates played themselves out within the pages of *Koshur Samachar*. In this final section of the chapter, I present several of these examples in order to shed light on voices that ran counter to community discourse during this period and also to highlight the ways in which these alternate voices were contained by powerful responses circulating in the sphere of public culture.

In one example, A. K. Kachroo, a former executive member of Kashmiri Samiti Delhi, published a letter outlining his twelve-day visit to Srinagar, the Khir Bhavani Shrine and the Shankarcharya Temple in July. ‘During my short stay’, he wrote, ‘I have not heard any gun shots from anywhere in the Valley’. He closed his letter by saying, ‘I now hope that, with such a change in the situation, the migrant Kashmiri Pandits will be able to return to their places of birth with honour and dignity’ (Kachroo, 1997, 39). In response to this letter, P. K. Raina, another former member of the Executive Council, published a letter in the next issue urging Kachroo to desist from making such unwarranted suggestions about the return of the Kashmiri Hindus to the Valley. ‘Shri Kachroo has been attending the Executive Council meetings and should be well aware of the sentiments of the members’, he wrote, continuing that:

He should have also taken note of the whole community’s rejection of the Apex Committee’s report set up by the State government on the return of the migrants. ... Some distressed among us may conclude that his letter is politically motivated and somebody in the opposite camp is in touch with such persons to create chaos,

confusion and a dent in the rank and file of the community (P. Raina, 1997, 41).

Similarly, Sunil Bharti published a letter in the November issue asking why *Koshur Samachar*, as the voice of the community, would publish such a 'self-contradictory and factually incorrect' account. 'Shri Kachroo has, in fact, revealed his double face, when he asks migrant Kashmiri Pandits to return to the Valley', he wrote. 'He should rush to his home and hearth if ever he is a migrant. In case he does not do that, he must keep quiet and lend this advice to his family' (Bharti, 1997, 39).

Similar debates were raised by an essay called 'Paradise Revisited' published in the September 1997 issue of the magazine. Professor S. L. Pandit, the author of the piece, wrote that, in contrast to the conditions presented at the height of the insurgency in 1990–96, Kashmir Valley now offered 'a vastly improved scenario in many respects':

Speaking personally, I felt that all who chanced to meet me at the Government College for Women or at the University Campus were pleased to meet me. This feeling of genuine welcome moved me most emotionally during my brief stay at my native village of Kulgam in the Anantnag District and my visit to the Khir Bhawani shrine at Tulamula. ... Obviously, the people at large are fed up with the futile recurring phases of violence prevailing for over six years. I realized this change of popular mood when on July 27 I walked all by myself right across Habbakadal up to Ganpatyar and back through Karan Nagar to my place of stay at the Ramakrishna Mission Center, Chota Bazar (1997, 18–19).

He made a final appeal to other community members:

The process of destruction wrought by man or Nature can be swift and vast in scale. But the task of reconstruction involves time and earnest and honest efforts over a longer stretch of time by all government-controlled or private agencies (Pandit, 1997, 19).

This article prompted harsh responses from members of the community. 'What does the writer want to convey?' asked one letter writer:

That the situation in Srinagar is normalising and that a Pandit like him can walk from Karan Nagar to Ganpatyar via HabbaKadal. Is that all what a Kashmiri Pandit would need? Such a write-up may

win him kudos from the Kashmir rulers but it would hardly instil any confidence in the community to return to their homes and hearths (Pandita, 1997, 38).

Pandit responded in the January issue that he had merely been trying to point out some welcome changes in the Valley, which could be considered as ‘a symbolic beginning for future action’ by rulers in Delhi, Jammu and Kashmir (1998, 43).

In a final example, S. N. Kaul published a lengthy account of his visit to Kashmir Valley in 1997. He contrasted the turbulence, tight security arrangements and intense sensation of danger that characterized the region in 1994 and 1995 with the crowded greetings, bursts of emotion (genuine, he says, or not) and public gatherings that were taking place in 1997. He noted public festivities, traffic jams, flirting young couples and an absence of *burqas*. His experiences led him to wonder what was happening in ‘the mind of the Muslim’:

In one word they are disillusioned. They seem, at last, to have realised the futility of the misadventure they are involved in. They are desperate to come out. Some of the people I exchange ideas with openly admit their mistake. ... So the man in the street – the labourer, the driver, the small shopkeeper and the farmer, whose sentiment had been used by Pakistan – is suffering from fatigue and is ready to go back to his earlier life. He needs no face-saving. ... The elite – the doctor, the professor, the lawyer and the bureaucrat – has adopted a friendly attitude and generally tries to avoid the subject. He needs a face-saving. Everyone has accepted the present government. Everyone says the elections were rigged and did not vote but they wouldn’t care less. They are not complaining as long as someone relieves them of the menace of militancy (S. Kaul 1997, 11).

Despite his observation that ‘Kashmir is fast returning to normal’, he continues to approach the prospect of homecoming cautiously. The Kaul plan, he writes, seems sensible on paper, but it needs to be backed by ‘sincerity of intention and of implementation’:

A non-Kashmiri cannot live in Kashmir but a Kashmiri can live anywhere. We are in no hurry to go [back]. We will go only when constitutional and political steps are taken to guarantee that history does not repeat itself for all times to come (S. Kaul, 1997, 13).

Interrogating the discourse of recovery

After 1990, the Kashmiri Pandit community emerged as a powerful political actor through the strategic production and circulation of forms of community discourse that sought to produce a homogeneous moral community with a single form of attachment to homeland. Through this discourse, community associations emphasized the community's vulnerability as a victimized minority in ways that resonated with broader concerns among the Indian middle class about their own uncertain positionalities at a time of significant political and economic transformation in the country as a whole. Community demands for the 'right to return' under specified conditions aligned with Hindu nationalist renderings of Indian pride and strength. In this way, the notion of return to homeland was shaped by the 'conservative revolution' of Hindu nationalism that was premised on and also reacting to significant transformations in the fields of culture and politics in India at that time (Hansen, 1999). Community return, it seemed, could only be possible through a radical restriction of national political culture and a shift from the policies of secularism to a politics of majoritarianism.

To what extent did these community discourses prove effective as mechanisms of social control within the community? The letters to *Koshur Samachar* suggest that many Kashmiri Pandit community members were developing very different forms of attachment to homeland than those constructed through community discourse. As I have explored through reference to my ethnographic data elsewhere (Duschinski, 2007), the possibility of rehabilitation was very much on the table during my fieldwork in New Delhi the late 1990s. Against the backdrop of government-sponsored rehabilitation schemes, Kashmiri Pandits in New Delhi were actively discussing and debating the feasibility of return at the individual and community level by exchanging stories about short trips that they had taken to their neighbourhoods and villages in the Kashmir Valley to visit relatives, explore business opportunities, celebrate religious festivals, or make pilgrimages. These types of 'provisional returns' (Long and Oxfeld, 2004) and the stories they engendered gave community members a chance to learn what had happened to their properties and to begin the process of re-establishing relationships with their former friends and neighbours. It also gave them a chance to weigh the risks of more permanent forms of resettlement.

At the time of these provisional returns, Kashmiri Pandit families had spent a decade away from their homes, integrating into the towns and cities where they worked and lived. For some, provisional returns directed their attention back towards home. These individuals and families considered possibilities of return

under new conditions that were not contained within the discourse of recovery. They told stories suggesting that their homes had new meanings for them now and that they wished to return to the region differently and build connections to new neighbourhoods, villages and towns. For others, provisional returns highlighted the impossibility or undesirability of a permanent homecoming. Their stories indicated that they would never live in their homes again, even if they had the opportunity, and that they had constructed new lives and new homes for themselves outside of Kashmir. All in all, these various orientations toward homeland, such as those represented in the letters to the editor, suggested the heterogeneity of stances that ran counter to the standard form of attachment articulated and circulated in community discourse at that time. Contemporary Kashmiri Pandit discourse similarly contains multiples imaginings of community and homeland, as well as the relationship between the two.

Endnotes

- 1 A version of this essay was first published in the *International Journal of Hindu Studies* 12 (1) (April 2008): 41–64.
- 2 Freitag (1989), Pandey (1990) and others have described the way in which British colonial policies effectively fragmented Indian society into communities based on common interests with representative political leadership, thus giving rise to lasting patterns of communalism. Rai (2004) examines these processes in Kashmir during the period of Dogra rule.
- 3 Veena Das (1995) makes the point that such communities reproduce the illusion of a boundary between society and state by casting themselves as protectors of tradition acting in opposition to an oppressive modern state structure.
- 4 Parimoo (1995) provides a comprehensive account of the situation facing the migrants at that time in Jammu.
- 5 The Panun Kashmir Movement is a splinter group that broke away from Panun Kashmir in 1993. It is committed to the Homeland Resolution and to the perspective that Kashmiri Muslims, and not simply Pakistanis, are responsible for the plight of the Kashmiri Pandits. Panun Kashmir, in contrast, does not emphasize the role of Kashmiri Muslims and maintains links to the Hindu nationalist group Rashtriya Swayamsevak Sangh (RSS), which provided relief to migrants arriving in Jammu in 1990 (Evans, 2002).

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Beyond the 'Kashmir' Meta-Narrative Caste, Identities and the Politics of Conflict in Jammu and Kashmir

Mohita Bhatia

Introduction

In recent years, conflict studies has gained relevance due to its rigorous analysis of prolonged and resilient ethnic, nationalist and political disputes. These studies offer valuable insight into the intricately layered character of such disputes and examine their impact on the everyday lives of people (Spencer, 2007; Bose, 2003; Taras and Ganguly, 2002; Dixon, 2001; Hayden, 1993; Pappé, 1992). Yet, with few exceptions, these works have not sufficiently engaged with sociological and ethnographic perspectives in their interpretation of conflict, since conflict studies still largely operate within the framework of macro political analysis. Scholarship on the Kashmir conflict, for instance, has thoroughly examined the political history of the conflict and the role of the Indian state – immersed in its ideology of hegemonic nationalism – in failing to accommodate the ethnic and political aspirations of Kashmiri Muslims. For all its nuanced and outstanding analysis, the existing scholarship is lacking an in-depth, field-based perspective.

Minute facets of everyday life covered through an ethnographic approach enable us to recognize the diversity in the conceptions of conflict, thereby expanding the meaning of 'conflict' itself in ways that go beyond its macro, socio-political interpretations. The ethnographic approach places macro theoretical frameworks of conflict in complex, multiple and localized contexts, thus furthering research in fruitful directions. First, by penetrating deep down, ethnography brings out the diversity of opinions, illustrates how certain interpretations of a particular conflict assume dominance over others and explores other, non-dominant perspectives. Second, through its localized and grounded perspective, ethnography brings out alternative social dynamics that are otherwise masked in the meta-narrative of conflict. For the Kashmir dispute, such field studies can push scholarship beyond

its exclusive or singular focus on the territorial aspect of the conflict and place it alongside other everyday social realities – such as caste, class and gender.

In the case of Jammu and Kashmir, the exclusive academic focus of most conflict studies scholarship on the Kashmir region and its incompatible relationship with India trivializes many other issues that do not fit into the mainstream conflict-centred discourse. For instance, many concerns, such as those of Dalits, refugees both from Pakistan-administered Kashmir as well as western Pakistan, and women, all of whom have negligible representation in politics, find scant representation in works on Kashmir. In an endeavour to broaden conflict studies by incorporating manifold social realities, this chapter explores a significant aspect of Jammu and Kashmir's society – caste and its relation to other identities that are sharpened in the context of conflict. Based on intensive, ethnographic fieldwork conducted in 2008, 2009 and 2016, it specifically focuses on Scheduled Caste (SC) groups in two villages (Kanhal and Danidhar) and an urban Dalit (Balmiki) colony in Jammu.

Conflict politics and the elision of caste

A pressing, yet previously unexplored, issue at the heart of this chapter is that of caste dynamics and the position of Dalits in Jammu and Kashmir society. This is surprising since caste, its changing configurations and the hierarchies it reinforces or forms anew, are quite well-researched topics in Indian academic scholarship. Wide-ranging scholarship has focused on Dalits, their heterogeneous voices, as well as their claims to dignity in public spaces. However, in the case of Jammu and Kashmir, this research area has remained largely untouched. In what ways does caste operate in a conflict-ridden society? Does the conflict have an impact on the ways SCs articulate their caste/class interests and shape their trajectories of resistance? How do the various groups within the SC category perceive the conflict and the politics based on it? What are the various caste or class issues beyond the domain of ethno-national conflict? These are a few pertinent questions that require attention, given the fact that these lowest castes among Hindus constitute about 8 per cent of the population of the entire state and about 18 per cent of the population of Jammu (Commissioner, 2011a) – one of three main regions of the state, the other two being Kashmir and Ladakh.

This chapter broadly studies two SC groups in Jammu: SCs who are natives of Jammu and SCs belonging to the Punjabi Balmiki community.¹ The Balmiki community is categorized as 'non-native' as it was relocated from Punjab to Jammu in 1957 to replace its sanitation workers, who had gone on an indefinite strike. Contrasting the experiences of native and Punjabi Balmiki SCs brings out the

contextual variations in the operation of caste; yet it also points to the structural linkages that define the broader functioning of caste and practices of resistance.

This chapter demonstrates that despite some differences in the ways that the two groups are placed within Jammu's society and the ways in which they articulate their caste, class, regional and religious identities, they share a commonality: as part of the conflict-prone state, neither of these two groups has articulated an autonomous subordinate politics, nor has any organized movement emerged from within these groups. This chapter thus illustrates that the politics of conflict supersedes the subordinate politics of caste and class. While the first group is directly engaged in the politics of conflict, the second group is affected by the conflict and rendered disempowered by the refusal to grant them permanent residency (PR) status, or what in common parlance is called the 'state subject' rights. Tied deeply to the politics of conflict, state subject rights are essential to gain employment in the state's government sector, acquire immovable property in the state and to qualify for other privileges, such as scholarships and government aid.

In the first case of native SCs, they passionately participate in Jammu's conflict discourse even when this politics obscures their everyday caste-based oppression. Politics of conflict in Jammu is articulated in opposition to the *aazadi* politics of the Kashmir region.² This politics of conflict – though largely elite, urban and upper-caste based – has over time diffused deeper into society, involving many sections among Hindus across caste, class and gender lines. In this situation, which is marked by the predominance of conflict politics and its penetration into everyday life, Kashmiris, or more specifically Kashmiri Muslims, become the more relevant 'Other' for the SCs, rather than upper-caste Hindus, at least at the political level (Bhatia, 2014).

In the second case of Punjabi Balmikis, the denial of PR rights makes this community vulnerable, as without these rights it is not eligible for government jobs except that of *safai karamcharis* (sanitation workers) in the municipality. Constant struggle for the PR, rather than any politics of caste assertion, dominates their everyday lives. Besides the legal complexity of the issue,³ it is the politics of conflict that is linked to the denial of PR to migrant communities such as Balmikis. As discussed later in detail, it is the conflict situation that has created a Kashmiri political discourse, which assumes that conferring PR to Hindu migrant communities will alter the Muslim-majority character of the state and thereby impede the Kashmiri Muslim struggle.

This chapter discusses the ways in which the SCs in Jammu, specifically these two groups, present their caste identities and perceive as well as engage with the

politics of conflict. It weaves together the complex and divergent ways in which the SC groups perform and navigate between their caste and other relevant identities. My main argument is that there is no homogeneous or absolute 'Dalit' identity. Caste – albeit of utmost relevance to the SCs since it defines their oppression and is central to forging strategies of resistance – is one of the many identities that defines their socio-political world. Contingent upon the context and location, other identity markers, such as religion, region, nation, class, or refugee overlap, interact with, or in some contexts override, caste identity.

This study illustrates precisely how the SC groups are placed in different socio-political situations and thus take up divergent identities. These multiplicities notwithstanding, there are certain fundamental structural attributes particular to a society that influence the broader working of caste dynamics as well as the scope for resistance. In this regard, this chapter demonstrates that historical, social and structural factors specific to the Jammu region have precluded any robust manifestation of assertion by the lower castes. The main factors are the situation of political conflict, lack of a progressive leadership, and consequently, a history of the absence of a protest culture among the subordinate classes.

SCs in Jammu: Socio-economic location

Of the three divisions of the state – Jammu, Ladakh and Kashmir – SCs mainly inhabit the Hindu-majority Jammu division. Although Hindus constitute a majority population, around 62 per cent in Jammu, it also has a substantial Muslim population of around 33 per cent. Sikhs and Christians constitute a minuscule component of the population of Jammu (Commissioner, 2011b). Jammu is the most diverse part of the state, which gets reflected in not just its religious plurality, but also its sub-regional, cultural, linguistic and ethnic heterogeneities. It has ten main administrative units or districts (Jammu, Kathua, Samba, Rajouri, Reasi, Udhampur, Ramban, Doda, Kishtawar and Poonch), of which the district with the same name as the region – Jammu district – is the winter capital of the state. Dogri, Pahari, Pothwari, Punjabi, Hindi, Gojri, Siraji, Bhaderwahi, Kishtwari and Kashmiri are the main languages spoken in various districts of Jammu. The Dogri-speaking ethnic community of the Dogras – mainly inhabiting the Hindu-majority districts – constitutes the dominant group in Jammu. Although Dogras comprise Hindus, Muslims and Sikhs, the most influential are the upper-caste Dogra Hindus, especially the Rajputs. The tribal Gujjars and Bakarwal Muslims constitute the most marginalized communities in the region. They compete with other peripheral groups, such as Pahari-speaking Hindus and Muslims, for

economic resources and political recognition. Together, these groups often express their marginalization in relationship to upper-caste Dogra Hindus. Placed in this cultural heterogeneity, neither Hindus nor Muslims form homogeneous groups.

Spread out in various districts of Jammu, SCs are divided into thirteen sub-castes of which Megh, Chamar and Doom are the numerically predominant, forming 39 per cent, 24 per cent and 21 per cent, respectively, of the total SC population of the state. Many SCs who have been able to move up the economic and educational ladder or are part of mainstream party politics are largely from these sub-castes (Verma, 2010, 372); some of them are now part of Jammu's middle class. Yet, a bulk of these sub-castes is on the economic and social peripheries. Among the remaining sub-castes, Batwal, Barwala, Baisith and Saryala together form 13 per cent, while Chura, Dhyar, Gardi, Jolaha, Ratal and Watal together constitute 3 per cent of the SC population of the state.⁴

Notwithstanding the sub-caste, class and sub-regional differentiations within, the various SC groups have not generally witnessed any significant political enmity among themselves. However, they maintain an internal hierarchy and social distance from each other, and hence they have not been able to come together at the political level to voice their caste concerns (Verma, 2010). Even without having been able to articulate any autonomous politics representing their caste/class interests, SCs have been able to derive some economic benefits historically. As beneficiaries of the post-independence political and economic reforms, they were able to partially overcome their situation of extreme oppression and misery.

Under the regime of the Jammu-based Dogra monarchs of the Rajput caste, who ruled the state from the mid-nineteenth to the mid-twentieth centuries, a large majority of Muslims, the peasantry and lower caste Hindus lived in a state of utmost impoverishment. The situation changed during the late 1940s and early 1950s, when the Kashmiri struggle against the monarchy eventually led to the alleviation of poverty and the establishment of a level of participatory democracy in the post-independence period (Bhatia, 2014, 947). Many new economic policies to uplift the peasantry and lower classes were put in place; significant among these were the land reforms, which despite loopholes, are considered one of the most radical reforms implemented in South Asia (Aslam, 1977). Along with the tilling Kashmiri Muslim peasantry, SCs in Jammu were the main beneficiaries of the Big Landed Estates Abolition Act. Some 2,50,000 SCs who were tillers had been allotted land ownership rights by 1952 (Brecher, 1953). The visible effect of land reforms is evident in the relatively better-off economic status of SCs and

lower levels of landlessness in Jammu compared with many other Indian states (Verma, 2010; Bakshi, 2008, 95–116).

The change of political guard – from Dogra monarchs to a Kashmiri leadership – along with land reforms, changed the power configuration in Jammu. These radical changes dispossessed upper-caste Hindu Rajputs of their exclusive monopoly over the state's resources on one hand and improved the economic condition of the SCs on the other hand, thereby somewhat weakening the hold of caste (Puri, 2002). Although Rajputs and other upper caste Hindus, such as Baniyas and Brahmans, still shape the political discourse of Jammu, their authority has been eroded considerably.

Furthermore, apart from other factors, the salience of conflict politics has also resulted in the weakening of caste oppression in Jammu. For both upper caste Hindus, as well as the SCs, the regional 'Jammu' identity in opposition to the 'Kashmiri' identity acquires prominence and dilutes to an extent the intensity of caste-based politics and frictions. This, however, does not imply an absence of caste-based animosities. Although conspicuous or dramatic caste-based confrontations, such as physical violence or atrocities against the lower castes, are not common, the latter face multiple everyday forms of caste-based marginalization and humiliation. In the social realm, SCs confront various kinds of exclusions, and in turn, devise many non-confrontational and subtle forms of resistance strategies (Bhatia, 2014). During the course of fieldwork, many of my respondents told me that extreme incidents of caste oppression, such as physical or sexual violence, are quite few in number in Jammu, although they face caste-based oppression in many other forms, such as ghettoization, stigmatization, restrictions on commensality and exclusion from many mainstream socio-cultural activities.

Yet, on the whole SCs have experienced some upward mobility. There is a noticeable improvement in their literacy rate from 12 per cent in 1971 to 61 per cent in 2011 (Verma, 2010, 365; Ministry of Human Resource Development, 2011). Although very few members of this community have reached the higher echelons of the government or bureaucracy, many have benefited from lower-cadre government jobs. This has helped create a lower middle-class layer of SCs and, over the generations, a minuscule elite, urban middle class. Despite the trend of upward mobility in social, economic and educational terms, a vast section remains at the margins. Their economic marginalization, apart from other factors, is also due to the extremely small size of the landholdings that the SCs were able to acquire. This land became further fragmented over generations. Further, many SCs are working on the economic margins in the private sector or as contractual or self-employed workers.

The case of the Balmiki caste is unique and does not fit into the scenario – discussed above – of the changing socio-economic status of SCs in Jammu. Originally from Punjab, about 250 Balmiki families were brought from Gurdaspur and Amritsar to defuse the crisis of the striking local sanitation workers in 1957. The community maintains that, at this time, the state government had promised to grant it privileges at par with local residents. However, besides housing and other minimal facilities, no other benefits or basic rights that are available to native residents (including native SCs) have been extended to the Balmikis. Most relevant in this case is the denial of PR rights that has disastrous consequences for vulnerable communities like the Balmikis (Manhotra, 2016).

The PR law is a reflection of the earlier 'state subject' law promulgated by the last Dogra monarch in 1927 to bar Punjabis from being employed in the Dogra administration and permanently settling in the state. The state subject law stated that only hereditary subjects of the state could buy land and property in the state and acquire government jobs. PR provision of the state constitution is a reaffirmation of the earlier special status of the state. Without PR, members of the Balmiki community cannot own property, gain admission into state-run professional institutions, gain employment in state-level government jobs, or avail of the benefit of reservations in these sectors. The Balmiki community is not a political constituency of any political party. Deprived of PR, it is not eligible to vote in the assembly elections; Balmikis, can, however, vote in the Lok Sabha elections. The community has been demanding PR rights, but its voice has not been heard.⁵

Native SCs: A village ethnography of two sub-regional groups

This chapter does not claim to be an exhaustive study of the entire Jammu region. To keep my study focused, in-depth, and yet representative, I have chosen two villages in two different districts of Jammu – Kanhal village in Jammu district and Danidhar village in Rajouri district. This selection of districts is purposeful in that they provide an interesting contrast. Jammu district, as the winter capital of Jammu and Kashmir, is the most vibrant, urbanized and prosperous Hindu-majority district. Rajouri, on the other hand, is a remote, Muslim-majority, border district of Jammu. However, since both Kanhal and Danidhar villages, in Jammu and Rajouri districts respectively, are adjacent to urban areas, neither is isolated from mainstream political activities that mark city or town life. This choice of villages in these two districts enables a comparison of the functioning of caste in the two different settings – a Hindu-dominated and a Muslim-dominated scenario.

Spatial, demographic, and regional differences result in subtle variations in the ways that these two subgroups perceive their caste and other identity markers.

SCs in Kanhal

Kanhal is generally referred to as a 'Brahman village' by both SCs and Brahmins, the two main castes that inhabit this village. This reference indicates not just the numerical predominance of Brahmins, as they constitute about 70 per cent of the village's population, but also their cultural, symbolic and economic dominance. As a prosperous landed community, Brahmins wield significant authority in Kanhal and claim a central space in village activities such as cultural ceremonies, religious rituals and political events.

SCs, who constitute 31 per cent of the population of the village, own only 8 per cent of the total landholding of the village. Although some of them have to work on Brahmin lands, economic avenues in terms of contractual employment in factories or grade III and grade IV government jobs have made the community somewhat self-sufficient. Yet, the fact that SCs refer to Kanhal as a 'Brahmin village' suggests the subordinate status of SCs in village life. They are excluded from many exclusively Brahmin cultural or political ceremonies. For instance, in many marriage ceremonies of the Brahmins, SCs are either not invited at all, or are asked to join the feast later, only after Brahmins have finished eating. In religious ceremonies such as *havans* (fire rituals) or *kirtans* (devotional hymns sung in a group), the entry of SCs, although not forbidden, is resented.

For the SCs, marginality is also a corporeal embodied experience. 'We have to fold our hands and say *namaste* (salutations) to Brahmins, not the other way round', said an elderly, male SC respondent. Statements like '*Hum to chote log hain*' (We stand lower in hierarchy), are an inherent part of their vocabulary and reflect partial conformity to the normative order. Yet, they are well aware of their oppression and are quite vocal about it in their private spaces. Satish,⁶ a middle-aged SC who works in a factory, shared with me an incident to describe his feelings of hurt, humiliation and rejection. Along with other SCs, Satish was invited to a marriage ceremony in the village. However, there was very little food left after Brahmins had finished eating. According to Satish, 'When we complained, we were asked to take some money and buy something to eat from the market'.

Despite competing with each other, the two main SC sub-castes in the village – Chamar and Megh – often come together to subtly resist their exclusion. These sub-castes create their own private socio-cultural space in the village to resist caste norms and create a discourse that mocks and condemns Brahminical practices. Like Brahmins, they organize their own exclusive, small-scale cultural ceremonies

and assert their right on the village's space. This private space symbolizes their claim not just on the village, but also on Hindu religious practices and other cultural traditions.

This shared discourse of SCs offers a critique of Brahmanical practices such as idol worship, while at the same time highlighting the polyvalent nature of Hinduism and yet does not detach them from mainstream Hindu practices. Many SCs in Kanhal follow the anti-caste religious traditions of the Bhakti saints Kabir and Ravidas.⁷ These religious traditions of SCs overlap with their mainstream Hindu practices, such as idol worship of Hindu gods and goddesses. The simultaneous association with counter and mainstream religious traditions suggests that in many real life situations, resistance by the marginalized is ambiguous and there are possible overlaps between structures of resistance and domination.

In Kanhal, thus, although caste dynamically interacts with their other identities, such as religion, the intense competition between Brahmins and SCs makes caste a routinized and yet dominant feature of village life.

SCs in Danidhar

Unlike Kanhal, Danidhar is quite plural in character; it has a Muslim majority (approximately 69 per cent), with a sizable Hindu population and a minuscule Sikh population. The internal caste configuration among Hindus is quite intricate, symbolized by castes such as Brahmins, SCs, Chandans and Baisiths competing amongst each other.

Chandans are presently an occupational group of *sunyaras* (goldsmiths) who had migrated from Pakistan-administered Kashmir during the time of partition. As the dominant caste in the village, Chandans are a landed and politically influential group. They have remained ambivalent about their exact caste status and refer to their caste as 'Chandans'. On inquiries about their caste status, many of them claim to be Khatris and a few claim to be Brahmins. Their Brahmin status is rejected by other castes in the village who otherwise approve of their dominant status. Brahmins are not a revered caste in Danidhar and due to their poor socio-economic position, do not wield much authority. Brahmins, thus, resent the higher status of Chandans and find solace in the notional idea of Brahmins as the 'highest and purest' in the caste hierarchy.

Baisith is another caste that is listed as SC in the (Jammu and Kashmir) Constitution's SC order, 1956. However, the members of this caste have used the Kshatriya model of upward mobility to elevate their position in the caste hierarchy

and claim 'Rajput' status. Although their claim to Rajput status is strongly rejected by all the other castes, it has enabled them to raise their caste position as they are considered higher in status than the SCs.

All the three castes, however, come together to keep SCs on the periphery. SCs, who form about 8.4 per cent of the village's population, belong to the Chamar caste. Residing in one corner of the village in a state of penury and illiteracy, the SCs are looked down upon not just by other Hindus, but also middle-class Muslims. However, more than caste, it is the class position of the SCs that is despised by the Hindu and Muslim residents of the village. Many middle-class Hindus and Muslims of the village express their contempt for the lifestyle of the SCs. Many middle-class Muslims in the village told me that they keep their distance from the SCs not because of their caste, but mainly due to their 'filthy' and 'backward' lifestyle. A young male respondent belonging to the Chandan caste stated that he does not object to intermingling with some of the SC boys, although he dislikes their 'filthy' surroundings. Another Chandan respondent said, 'They do not work. They are cheats, dirty and lazy'. These views specifically reflect the attitude of the middle classes that judge the lifestyle of the poorer classes as 'unhygienic', 'contaminating', 'lazy', and see it as threatening their ordered and sophisticated way of life.⁸

Even though caste operates to exclude SCs, its role is somewhat weakened by the waning authority of Brahmans and the complexities in the caste order produced by the dominant caste of Chandans. Chandans, as a 'migrant' community that is ambiguous about its exact caste ranking, are to a certain extent flexible about caste norms. Consequently, SCs face discrimination, but are not entirely excluded from the village's socio-cultural activities. Many members of the higher castes maintain a certain degree of social relations with them and also visit their households to attend their weddings and other social ceremonies; many lower-class Muslims have ties of friendship with them.

For the SCs in Danidhar, thus, class emerges as a central identity marker in addition to caste, and as a result, their strategies of resistance involve forging alliances with lower classes among Hindus and Muslims to escape oppression and find spaces of inclusion. SCs form alliances not just with the lower classes, but at times also with middle classes in an attempt to resist their oppression. One such mechanism of forming an alliance is through the production of alcohol. A few SC households in Danidhar illegally produce and sell alcohol at cheap prices to supplement their meagre earnings. Some Hindus and Muslims visit these SC households frequently, often drink with them and in the process form friendly

relationships. SCs make use of these spaces and alliances to fracture caste and class dominance in the village. Other means of resistance are somewhat similar to those used by their counterparts in Kanhal, including following anti-caste religious traditions or devising private narratives to parody and condemn caste and class prejudices.

Caste and conflict politics in Kanhal and Danidhar

The cases of Kanhal and Danidhar illustrate the contextual and non-essentialist character of caste. In each case, a divergent set of identities is sharpened, producing a unique caste dynamics. In Kanhal, the process of 'othering' takes place exclusively between the two castes – Brahmins and SCs – that can be placed at the opposite ends of the caste continuum. Caste thus emerges as a central identity, along with other relevant and shifting identity markers. In Danidhar, the socio-cultural composition is quite complex. Here, the normative order of caste is diluted due to the presence of communities such as Chandans and Muslims, and also due to multiple competing sites. Competition within various Hindu castes, between Hindus and Muslims, and among various classes, makes caste a relatively less central feature of exclusion. Rather, the nature of oppression is complicated by the interweaving of caste and class identities – the two main identity markers in the everyday life of Danidhar.

In spite of these variations in the functioning of caste, it plays a significant role in producing marginalization, as well as practices of resistance in the everyday social realm. Covert or overt caste-based humiliation pervades the commonplace interactions of the SCs in Kanhal and Danidhar. Consequently, resistance against their constant subordination forms an indispensable part of their social lives. However, their various forms of resistances do not appear in any form at the level of political discourse – a space dominated by conflict-based politics.

Conflict in the state is centered in the Kashmir region, as Kashmiri Muslims resist the hegemony of the Indian state and of Indian nationalism. Nevertheless, it has impacted various parts of Jammu in different ways, including through border skirmishes, extension of militancy to Jammu during the 1990s, and the migration of militancy-affected people from Kashmir or remote areas of Jammu to Jammu city, thus changing the city's demography. However, it is Jammu's political discourse that has been most affected by the conflict. The opposing stands of Muslim-majority Kashmir and Hindu-majority Jammu regions on issues of nationalism, sovereignty and other matters pertaining to the conflict have generated a situation of political hostility between the two regions. Further,

Kashmir's central and dominant position in the political representation of the state has created a sense of marginalization among the people of Jammu. These sensitive issues are appropriated by Jammu's political elite to invoke sentiments of nationalism (pro-Indian), regionalism (pro-Jammu) and religion (pro-Hindu) vis-a-vis the 'Kashmiri other'.

SCs of Kanhal and Danidhar, at various moments, share these sentiments and are supportive of mainstream Jammu politics based on conflict. As we have seen, SCs in Kanhal and Danidhar have not detached themselves from their Hindu identity, even if they associate themselves with alternative religious traditions. This holds true for most SC communities in Jammu who claim to be part of the Hindu religion and share a strong nationalist sense of belonging. Their Indian and Hindu identities, along with their Jammu identity, are sharpened in a conflict situation. Everyday issues – such as the anti-Indian slogans frequently raised in Kashmir by dissenting Muslims or the dominant position of the Kashmiri leadership in making political decisions – generate a Jammu versus Kashmir politics. Intensifying emotions, this fervent politics draws the support of SCs and engages them passionately.⁹ This is evident from their endorsement of and participation in the 2008 Amaranth agitation in Jammu¹⁰ – a prolonged agitation that was directed against Kashmir (Bhatia, 2009). Caste identity, thus, although constantly defining their existence, takes a relative backseat in the political realm in favour of national, regional and religious identities.

Balmikis and the politics of caste and conflict

Balmikis comprise the most marginalized group among SCs in Jammu. They reside in various areas of Jammu city, including the Gandhi Nagar area, where I conducted my fieldwork in 2016. Gandhi Nagar is a well-developed and upmarket area in Jammu city. Surrounded by affluent middle-class families, the Balmiki colony is easily distinguishable. While the colony has been able to benefit from overall development in the area, it lags well behind prosperous neighbourhoods surrounding it in terms of infrastructure and many basic facilities. In contrast to the well-maintained neighbourhood streets, the lanes or tracks within the Balmiki locality show few signs of planning. The drains and sewers are open, with many of them serving as dumping grounds. This locality is often stigmatized and looked down upon by the people who live in the posh, contiguous localities.

Due to their association with the sanitation occupation, Balmikis are placed lowest in the caste hierarchy, below Megh, Chamars and other SC sub-castes. When I visited their *mohalla* (neighbourhood) in Gandhi Nagar, most Balmiki

families had a similar narrative to share, which is about the relocation of their families, back in 1957, from Punjab to Jammu. An elderly male respondent who retired a few years ago from the job of sanitation supervisor stated:

We were brought here more than five decades back by the Jammu and Kashmir government to serve as *safai karamcharis*. Our elders did not realize that we will not be given even minimal facilities. The government betrayed us. Now without state subject status we are stuck in this situation where we cannot do anything else but this job. Our community is stagnating.

The President of the locality, Garu Bhatti, said:

Our elders were told that the permanent residency clause would be made flexible, and we will be given rights at par with the locals. Since then, we have made a number of pleas to the state government and nothing has happened.

He informed me that the only provision they got from the government was that they were allotted houses: 'Now that our families have grown and their numbers multiplied, we don't have enough housing space. Our colony is still not regularized.' 'This land and house are not registered in our names. We are tenants in our own house,' remarked Sudha, a middle-aged housewife. 'Without state subject status, we cannot buy property, our children cannot get admission in government professional institutes,' said Bula Ram, another Balmiki respondent. He introduced me to his daughter, Meena, who has completed her Masters in Political Science through correspondence.

There are very few like Meena in this community who have managed to reach the stage of higher education. Most girls and boys in this community drop out at various stages of school education. Since they cannot take advantage of the state's affirmative action or get jobs in its government sector, there is no incentive for them to continue studying. Expressing concern about Meena's job prospects, Bula Ram said:

I wanted my daughter to study. But now that she has completed her Masters, we are in a dilemma as to whether she should be studying any further. We are not sure. In any case she is not going to get a government job.

As the most peripheral SC community, Balmikis were more vocal than other SC communities about their caste oppression and narrated their experiences of being humiliated by their well-off neighbours. Many stated that, 'They [people

in their adjacent localities] call us when they need to get menial work or labour done. Otherwise they look down on us with contempt. They use their political and economic clout to keep us suppressed'. A young Balmiki respondent protested: 'These big wealthy people view us as inferiors and call our locality as a *Bhangi* (sweeper) colony'. SCs of this locality, thus, assert their caste by sharpening their Balmiki identity and considering 'Balmiki' or 'Valmiki' as their God.

Despite their low economic status, the community has collected funds and built a large Balmiki temple within their colony. 'In other temples in Jammu, there are idols of thousands of Hindu gods and goddesses. But there is none of Valmiki', commented Satish, an elderly respondent. Endorsing Satish's views, his wife, Ratna, added: 'If you go to Raghunath temple, you see idols of almost all Hindu gods. There is one idol of Balmikiji, which is placed in one obscure corner ... that is not visible at all'. Yet, Satish and his wife did not detach themselves from mainstream Hinduism. They have a well-decorated *puja* (worship) room in their house that has pictures of many Hindu gods and goddesses, including those of Balmiki. Satish explained this contradiction: 'Gods and goddesses are not the property of upper castes. We can also worship them. We can also recite Sanskrit *shlokas* (verses)'. Such intricacies define the social worldview of the Balmikis as they practice normative Hindu rituals, while at the same time sharpening their lower-caste religious identity.

Yet another layer of complexity marks the lives of the Balmikis – rather than being only a sub-caste, for its community members, 'Balmiki' is a broader umbrella term that encompasses a diversity of religious identities, traditions and sects. It includes Balmikis, Christians and a small number of Sikhs. Further, Balmikis are divided into two groups – Bharatiya Valmiki Adi Dharam Samaj and Adi Dharam Samaj 'Aadhas'. These two organizations are based in north Indian states to represent the socio-religious concerns of the Balmiki caste. Adi Dharam Samaj 'Aadhas' is considered more revolutionary in its philosophy and emerged as a breakaway faction of the Bharatiya Valmiki Adi Dharam Samaj in 1994. Garu Bhatti, who is a staunch follower of the 'Aadhas' faction, told me:

'Aadhas' has only a handful of followers in comparison to the Bharatiya Valmiki Adi Dharam Samaj in this locality. This is mainly because 'aadhas' prohibits any kind of idol worship and advises its followers to stop worshipping gods and goddesses.

Since most of the Hindu Balmiki respondents were followers of the Bharatiya Valmiki Adi Dharam Samaj, they worshipped Hindu gods and laid claim to the Hindu religion. 'Upper castes monopolize the Hindu religion. ... We also

have equal rights as far as Hindu religion is concerned. These are our gods too', asserted Deepak, who works as a supervisor in the municipality. Another young respondent, Chander, who is currently unemployed, remarked: 'We have grown up worshipping our *bhagwan* (god) and *Mata* (goddess). It is as much part of our culture as it is of the upper castes. How can we criticize our gods?' Irrespective of which of the two Balmiki religious groups one adhered to, detachment from dominant Hindu practices was never complete. Even the followers of the more radical group did not discard their religious identity. Garu Bhatti, for instance, was against conversion to Christianity and said: 'No matter what, it (Hinduism) is our religion'. Hindu identity, thus, is entangled in various intricate ways with the Balmiki identity.

Many Balmikis have converted to Christianity and are its staunch followers. However, there are many different divisions within Christian Balmikis including Protestant, Catholic and Pentecostal. While Christian members of the locality do not mind identifying themselves as Balmikis in general social discourse, they do maintain a distance from the religious and cultural rituals of Hindu Balmikis. Despite having close bonds with each other, followers of each religious group and subgroup are involved in the process of hardening their respective religious boundaries and dismissing the validity of other religious traditions.

In spite of being quite aware and vocal about their caste oppression, the internal fragmentation within the community has deterred its members from coming together in their caste struggle. Nevertheless, one issue that unites them is the denial of 'state subject' status. They have been urging the state government and political parties to resolve this issue. In their everyday conversations too, they often discuss how the state has reinforced their 'migrant' and 'outsider' status by denying them 'state subject' rights. 'Many of us are born here and have a strong sense of belonging to Jammu. But Jammu has continued to treat us as outsiders by denying us our basic rights', a Balmiki respondent stated.

This discussion underscores three main points. First, that the Balmikis move between several identities including caste, class, religion and migrant. 'Balmiki', thus, is a manifestation of an interweaving of these multiple senses of belonging, rather than just a 'Dalit' identity. Second, sharpening of their respective religious identities – although a form of assertion against the caste order – has not allowed them to pursue their caste or class issues in any unified manner. Third, their preoccupation with the 'state subject' matter overshadows issues of caste oppression. Their political demands and mobilization strategies are focused on the former rather than the latter. When I asked an ex-president of the Balmiki

locality about the lack of political mobilization on caste concerns, he explained: 'We feel humiliated. Caste oppression is very much a concern for us. But it is not severe. A more urgent issue for us is that we should get at least basic rights as citizens of the state.'

Conflict politics and PR rights

Denial of permanent residency rights is not specific to the Balmikis. Other migrant communities, such as refugees from West Pakistan, who migrated to the Indian part of Jammu and Kashmir during the 1947 partition, face a similar problem. A large majority of West Pakistan refugees are SCs and have been settled in the state for the past five to six decades. Refusal by the state to grant them these essential rights has pushed the SC communities to a state of economic misery (Chowdhary, 2015, 196–299). Furthermore, the closure of all possibilities of economic mobility has resulted in the reproduction and reification of their caste and class oppression.

It is pertinent to note that the issue of denial of state subject status to migrant communities is closely related to the political discourse of conflict. The mainstream Kashmiri political parties and separatist leaders have vociferously argued against granting permanent resident status to these Hindu communities. Their major insecurity is that granting these rights would have an impact on the demography of the state and change its Muslim-majority character. They allege that the demand for conferring permanent rights to these non-state subjects is part of the conspiracy hatched by the conservative, Hindu nationalist BJP, as well as the Indian state, with the objective of diluting the state's Muslim character. Another point of objection is that an increase in Jammu's population will lead to its demand for more seats in the state assembly, thus changing the politically-dominant position of Kashmir (Bali, 2008).¹¹

Many of these fears do not have any factual basis, but can be partially understood as a manifestation of the conflict psyche. Over the years, many political and democratic rights of Kashmiris have been eroded or diluted to suit Indian nationalist interests. Their expressions of protest have been suppressed using an iron-fist approach. Constant pro-Hindu propaganda and its anti-Kashmir positions have created fear and insecurity among Kashmiris. For instance, the idea of demographic change by settling Hindus in the state is generally projected as the most viable solution to the Kashmir problem by the pro-Hindu ideologues such as the BJP.

Yet, many of these fears have been exaggerated. There are approximately 2,00,000 West Pakistan refugees (Chowdhary, 2012, 29) and a minuscule number

in other communities, such as Balmikis, who are without state subject status. Given the 12.5 million population of the state and around 5.4 million population of Jammu division, conferring citizenship rights on this number will not have any significant impact on the demography or politics of the state. Politics thriving on these insecurities has had a disastrous impact on vulnerable communities like the Balmikis, whose economic and social fate seems frozen in time and space. On one hand, the Kashmiri leadership has completely abandoned the concerns of SC communities as it threatens their political agenda, and on the other hand, pro-Hindu parties such as the BJP have often opportunistically raised the demand of granting state subject status to Hindu migrants to further their anti-Kashmir conflict politics. With no proper representation, Balmikis and other SCs have been denied the right to live with dignity, amounting to a gross violation of human rights – a point that gets obscured in the larger conflict framework. Placed in this context, while having a strong sense of belonging to Jammu, Balmikis, at certain moments, refer to themselves as 'migrants' or 'outsiders'.

In the political realm, their Jammu, Hindu and Indian identities enable them to identify with conflict politics to some extent. Like native SCs, Balmikis endorse the anti-Kashmiri politics of Jammu that denounces Kashmiris for being 'anti-national' and at times 'anti-Hindu'. Some members of the Balmiki community also participated in the aforementioned Amaranth agitation in Jammu and alleged that the Kashmiri leadership was 'hurting the Hindu sentiments'. Yet, unlike native SCs, Balmikis' sense of outsider-ness makes it possible for them to maintain a relatively greater distance from the mainstream politics of Jammu.

Their awareness of the fact that they have been marginalized by not just the Kashmiri leadership, but also Jammu's political parties, enables them to detach from and critique dominant conflict politics. 'BJP has used us as fodder for their politics. We have tried giving support to all political parties but to no avail', Garu Bhatti alleged. When I inquired about the views of the community on the issue of 'discrimination against Jammu by the Kashmiri leadership', a young, vocal leader of the community, Vijay, responded: 'How does it matter to us? We are not getting any funds, jobs or anything anyway'. 'Kashmir and Jammu fight for resources, development, funds ... but in this fight we are nowhere on the scene. We are not even given equal rights. To hell with Kashmir. To hell with Jammu', commented Chaya Ram, another elderly Balmiki respondent. Yet, the detachment from Jammu's mainstream politics is not complete. There are occasions when Balmikis join Jammu's dominant politics in denouncing the Kashmiri leaders and Kashmiri Muslim population for raising anti-India and *aazadi* slogans.

Conclusion: Caste dynamics – from specific to general

Through an ethnographic description of the social and political life of native and Punjabi SC groups in Jammu, this chapter highlights their multiple identities and layered marginalities. Each case is specific and contextual, manifesting the dynamic and non-essential character of caste. In the case of native SCs in Kanhal, caste functions as one of the most significant identity markers in their everyday village life. The social location of native SCs in Danidhar is more plural and intricate. Class intertwines with caste here to produce a specific kind of marginality and defines resistance mechanisms. In the case of Balmikis, their migrant status and struggle for permanent residency rights adds a further layer of complexity to the ways in which the community defines itself. Balmikis navigate between several identities – caste, class, religion and migrant – that variously interact with and also produce ruptures within.

However, in each case, the multiple identities are not static or eternal in nature. Although central, they interact with various other markers (such as gender, profession, culture and nation), and may also shift in relevance depending on certain contexts. Nevertheless, the point to be emphasized here is that the multiple and intricate senses of belonging rupture the notion of a unified 'Dalit' identity. Furthermore, these entangled realities question the dichotomy often posed between the analytical categories of 'Dalit resistance' and 'Hindu nationalism'. Caste, here, is thus rendered into a dynamic category that does not stand in isolation from other social and political identity markers.

Furthermore, there are several structural features that account for the lack of caste assertion among all three groups of SCs in Jammu. A relatively low level of oppression in most parts of the state – a result of radical political and economic reforms in the post-independence period – may be one of the reasons for a lack of political mobilization along caste lines. Second, the absence of political assertion is also linked to the history of a lack of politics representing subordinate classes in the Jammu region. Unlike Kashmir, which was marked by a culture of protest and class movements under a progressive leadership in the late nineteenth and early twentieth centuries, Jammu remained passive in so far as subordinate class politics is concerned. Jammu lacked any organized progressive leadership and the lower classes, which were fragmented along religious, caste and sub-caste lines, failed to unite and articulate common concerns. Consequently, the only coherent politics that was articulated was one of the privileged classes that gradually expanded its horizon by using broader regional, nationalist and religious rhetoric to oppose Kashmir, and eventually became acceptable to Hindus from various social strata.

Third, and perhaps the most important attribute, is the pervasive impact of prolonged conflict. In Jammu and Kashmir, it is the politics based on ethnic, nationalist and regional conflict, rather than caste or class conflict, which predominates both Kashmir and Jammu regions. Native SCs are also supportive of this evocative politics that often suspends caste- and class-based political assertions in favour of pro-Jammu, pro-Hindu and pro-India sentiments. Moreover, non-native SCs are not completely detached from this anti-Kashmir politics either. However, they engage with the conflict differently. Their struggle to acquire basic residency rights for their community directly or indirectly involves them in the conflict discourse. Thus, the predominant conflict situation in the state preoccupies the native and non-native SCs in divergent ways that do not allow an assertion of their caste or class identities in the political realm, although these markers remain of utmost significance in the everyday social domain.

Endnotes

- 1 SCs in Jammu and Kashmir can be broadly divided into three categories: native SCs, SCs who were brought from outside the state to work there, also known as the Balmikis, and SCs who are West Pakistani refugees. Balmikis claim their origin from the poet-saint Balmiki or Valmiki, who composed the Sanskrit epic, *Ramayana*. While the popular story depicts Balmiki as a bandit in his early life who later became a revered sage, his representation as a dacoit is contested by the Balmiki community, which worships him as God.
- 2 There is an internal division within the state with regard to conflict politics. The mainstream politics of Kashmir and Jammu regions assumes different positions, as the dominant leadership of the former contests Indian hegemony, whereas the vocal leadership of the latter supports Indian nationalist stands. There is also a religious angle to this politics, as the Kashmiri leadership mainly constitutes Muslims of Kashmir, and the Jammu leadership raising their voice against the Kashmiri movement is overwhelmingly Hindu.
- 3 According to Section 6 of the Jammu and Kashmir Constitution, permanent residency rights could be conferred only on those who were either state subjects of the erstwhile princely state or who had acquired immovable property in the state until 1954 (see Government of Jammu and Kashmir, 2003, 3–8).
- 4 Information collected from the office of Jammu and Kashmir SC, ST and BC Development Corporation Limited, Gandhi Nagar, Jammu district.
- 5 Information about the situation of Balmikis was collected through conversations with local administrators and an interview with Garu Bhatti, President of Valmiki Colony, Gandhi Nagar, Jammu (24 February 2016).
- 6 Pseudonyms: In accordance with ethnographic norms, other than a few key respondents who explicitly gave permission to use their names, I have used pseudonyms when referring to the respondents in the text.

- 7 The fifteenth-century poets Kabir and Ravidas belonged to the Nirgun Bhakti (devotional) tradition that preached the worship of a formless god. Their philosophies and poetry challenged upper-caste hegemonies.
- 8 For an elaborate discussion of the class-based prejudice displayed by middle-class residents of Danidhar against SCs, see Bhatia (2014).
- 9 For an elaborate discussion of political stands and dilemmas of these groups of SCs, see Bhatia (2014).
- 10 In 2008, the Jammu and Kashmir Government decided to transfer 40 hectares of forest land in Pahalgam, Kashmir, to set up temporary structures to accommodate Hindus during their annual period of pilgrimage to the Shri Amarnath Shrine. The subsequent political turbulence in Muslim-majority Kashmir forced the government to revoke the transfer order, which in turn generated a frenzied reaction in Jammu. Leadership in Jammu accused the Kashmiri leadership of 'hurting Hindu sentiments' and discriminating against the Jammu region.
- 11 Presently, as compared to the 37 seats for Jammu, Kashmir has 46 seats in the state assembly.

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Contested Governance, Competing Nationalisms and Disenchanted Publics

Kashmir beyond Intractability?

Reeta Chowdhari Tremblay

Introduction: Redefining resistance

For almost seven decades, peace has remained elusive in Kashmir. 27 October 2017 will mark the seventieth anniversary of the signing of the Instrument of Accession to India by Maharaja Hari Singh, the Hindu Dogra ruler of Jammu and Kashmir. It was a time when the princely state of Jammu and Kashmir could be said to be falling apart: the Poonch district on the state's western border with Pakistan had just declared independence from the Dogra rule, and after tribesmen from Pakistan's northwestern region invaded Kashmir, most of the Valley had come under their control. The Maharaja sought military assistance from India and, in return, offered to accede to India. In accepting the offer of accession under special circumstances, India's Governor-General, Lord Mountbatten, stipulated that, once the state had been freed of tribal invaders, it would be the people of the state who would decide their future political association. India's Prime Minister, Jawaharlal Nehru, was to confirm this conditional acceptance in various venues, including the Constituent Assembly of India and in Srinagar's famous Lal Chowk on 2 November 1948.

This broad framework set in motion a whole train of events, which have generated the seemingly unending turmoil in the Kashmir Valley, namely: the arrival of the Indian army in the state leading to the state's partition into the Indian-administered state of Jammu and Kashmir and Pakistan-administered Kashmir called Azad Kashmir; the January 1948 complaint by India to the UN Security Council; the January 1949 UNCIP Resolution asserting the disputed nature of the state and confirming the people's right of self-determination – which remains unfulfilled to this day; the irreconcilable positions taken by India (Kashmir as an integral part of India) and Pakistan (Kashmir as a

disputed territory); and Article 370, which formally approved IJK's asymmetric constitutional relationship with India.

This background looms large in Indian Jammu Kashmir, where governance remains a matter of fierce contestation. Here different narratives of nationalism compete not only within the Valley itself, but vis-à-vis two other regions of the state – Hindu-majority Jammu and Buddhist-dominated Ladakh. Moreover, the citizenry remains disenchanted with both the chronic governmental failure to deliver on repeated promises of a good governance agenda and the perennial non-fulfilment of its identity demands. It is a place where both past events and a collective memory play significant roles, never quite effacing what came before. Since 1953, after the arrest of Jammu and Kashmir's first Prime Minister, Sheikh Mohammad Abdullah, the nationalist discourse in the Kashmir Valley has incrementally progressed from the demand for *raishumari* (plebiscite), then for autonomy and, finally, for *aazadi* (freedom). Indeed, *aazadi* is now the operative discourse in the Valley. Despite their differences, the irredentist groups (seeking a political association with Pakistan) and the secessionist groups (demanding an independent state), have successfully mobilized the Kashmiri population around the slogans of *aazadi* and *raishumari*.

In 1996, along with other counter-insurgency moves, the Indian state initiated an electoral process in order to reactivate civil society. In this conflict-prone zone, the development of effective governance through a popularly elected government is widely considered a key to gaining the loyalty and trust of the local population. Good governance, according to what Michael Fitzsimmons labels as the conventional wisdom of counter-insurgency strategy, constitutes 'calculated reforms that address the material grievances and needs of the people through an effective and corruption-free delivery of public services' (2008, 342; also see O'Neill, 2005). Since the late 1990s, the good governance agenda has been at the forefront of electoral programmes of the Valley-based mainstream political parties – the J&K NC and the J&K PDP. The latter was founded in 1999 under the leadership of former Union Minister, Mufti Mohammad Sayeed and his daughter, Mehbooba Mufti (both members of the Congress Party at the time). It incorporated into the party's campaign manifesto issues with which it felt the common people could identify. For instance, the PDP promised a corruption-free government, unconditional dialogue with militants, the disbanding of the Special Operations Group (SOG), while also providing a 'healing touch' to those affected by the militancy.

Following the PDP lead, Omar Abdullah of the NC similarly campaigned in

2008 on a platform of meeting the daily needs of the people: *bijli* (electricity), *pani* (water) and *sadak* (roads). Indeed, the mainstream Valley-based parties – by acknowledging the relevance of the nationalist/secessionists, by pushing for an open dialogue with Pakistan and by sympathizing openly with the suffering of the citizenry from state as well as militant violence – have clearly distinguished the politics of governance from the saliency of religious and political demands to which the nationalists and secessionist groups give voice. Undoubtedly, the ultimate articulation of the good governance agenda has been at the heart of the 2015 Agenda of Alliance (AoA), negotiated between the PDP and the BJP, to serve as a guiding framework for governance for the two ideologically opposed coalition partners of the present government. The AoA is predicated on the assumption that the successful performance of the coalition government in the areas of good governance and inclusive economic development should be able to tangibly mitigate the saliency of identity-based politics in the state of Jammu and Kashmir.

This chapter suggests, however, that there are serious limitations to any governance strategy in relation to contested identity-based narratives and demands. In the first place, improving governance through the delivery of economic and social benefits to the population might not be a good substitute for responding directly to the demands for dignity and justice arising out the persistent deep-rooted sentiments of a separate identity. Good governance as an effective instrument for dampening conflict might turn out to be even more constrained under situations where intra-regional ethnic identities are also salient and form the potent mixture of competing nationalisms. And, even if somehow improving the quality of governance is able to confer legitimacy upon the government, it will likely prove to be only a short-term solution. The success of a good governance strategy will ultimately depend upon the Valley's Muslims perceiving that their distinct and separate identity is actually being protected, particularly in response to the competing nationalist/religious demands from Jammu's Hindu fundamentalists.

Moreover, there is an unwarranted assumption that if governmental political institutions employ a strategy of 'winning the hearts and minds of people' through improved governance, they enhance their capacity to govern by consent and can marginalize the militants or secessionist groups who are themselves trying to mobilize the population towards their anti-state agenda. However, the complexities of an entrenched identity-based conflict cannot be reduced to a simple sequential or causal relationship between governance, legitimacy and the mobilization of the citizenry. In addition, advocating good governance as a single-

axis approach to heal the wounds and seek people's reconciliation with the Indian state reflects the failure to understand how the Valley's resistance movement is fundamentally fluid, flexible, dynamic, and dialogic so that good governance and protection of identity can only co-exist in an interactive, mutually constitutive relationship.

For more than six decades, Kashmiri Muslim masses have at times resisted state power and embraced the goals of the secessionist/nationalist groups, while at other times, they have reversed their allegiance and sided with governmental institutions that promise them material benefits and personal security. In short, they have modulated their political responses to the elected government of Jammu and Kashmir between the poles of accommodation and resistance. However, during the post-1989 mass-supported insurgency, they also reacted to the extreme violence, extortion and lawlessness of different factions of separatist groups by occasionally withholding their support from the movement, pushing the indigenous secessionist/nationalist groups to publically abandon the goals of violence to achieve their goals.

In short, the local population in their resistance, while protecting their religious and political identity vis-à-vis the Indian state's integrative and assimilative practices, also do not want to find themselves in the chaotic ungoverned spaces which sometimes result from the oppositional activities of the secessionist/nationalist groups. Nevertheless, it is the case that 'accommodation is not necessarily the opposite of resistance', and that the usage of contradictory practices or 'utilizing creative and complex combinations' amounts, in practice, to resistance acts on the part of common citizenry (Vinhagen and Johansson, 2013, 26). Thus, peace remains fragile in Kashmir, and these multiple and variegated acts of resistance constitute potential challenges to any temporary fix, which an improved governance strategy might attempt to undertake.

The following discussion of the protracted Kashmir conflict, in tracing the political history of Jammu and Kashmir since the tribal invasion in 1947, and the subsequent political relationship within the Indian federation, underscores the multilayered and changing patterns of resistance; the relationship between both the organized and the everyday forms of a resistance, which is not necessarily hidden or quiet or covert (Gutmann, 1993, 86); and the changing contexts and situations, which make resistance and accommodation possible. Dustie Spencer's assertion is correct that the Kashmir conflict is 'both an "old war" as well as a "new war"', and therefore needs to be evaluated with an approach reflecting the dynamics of ground realities (2013, 77). As a result, we need to keep three points in mind.

First, in the changing contexts of the Kashmir conflict, collective memories of subjugation, built upon multiple sets of memories, have come to be reconfirmed as well as redefined during India's association with the state since 1947. These memories have indeed emerged as instrumental in making Kashmiri Muslims become increasingly aware of hegemonic forces, thus enlarging the possibilities for an active and continuing resistance against the state. This collective 'subaltern Kashmiri consciousness' (Cockell, 2000) generates a dynamic and an interlocking process between demanding *aazadi*, on the one hand, and, on the other hand, seeking effective and good local governance in order to secure the needs for day to day survival. The strategy the Valley's Muslims adopt depends upon how the state reacts to Kashmiri agitation (the state in its dominant position does not sit still but also initiates its own strategies for reconciliation), and this in turn impacts upon the Kashmiri resisters' response: whether they will demand good governance or *aazadi* or both, or whether they will join in with the secessionists and nationalists in their collective public protests.

Second, in response to resistance, state authorities and the elected local government are constantly learning, adjusting and retuning the strategies whereby they might claim compliance and legitimacy. The post-1989 insurgency emphasis on 'winning the hearts and minds of people' through good governance does fall into this category. But the Kashmiri masses who resist, on and off, also learn and develop new methods and strategies. In short:

Subjectivity and its personal motives or intentions fade away in the fog of multiple layers of past battles – battles that go on over generations, since new subjects with new motives and intentions are taking place in inherited positions of superordination and subordination, and taking up the learned techniques of power and the techniques of resistance (Vinthagen and Johansson, 2013, 31).

Third, resistance is defined by specific actions in specific contexts by multiple sets of actors, but its key element is everyday resistance. In the Kashmir conflict, the resistance to the state has been carried out by three sets of actors: by oppositional parties within the formal political democratic framework, by organized anti-state groups and by the subaltern Kashmiris through their everyday, politically intended resistance, which fluctuates between conscious, semi-conscious and habitual activities. It is this last category, the 'scattered and regular' everyday resistance that most profoundly undermines state power and actually keeps the *aazadi* movement alive. And if we wish to better understand the protracted character of the Kashmir conflict, we need to pay specific attention to this at times 'semi-conscious' or

habitual and at other times 'conscious' actions/resistance of the Kashmiri masses and their dynamic interaction with other forms of organized resistance.

India's first and only welcoming moments in the Valley: Seeds of alienation

The only time the Kashmir Valley's population has welcomed Indian troops is when they arrived on 27 October 1947 to liberate the Valley from the tribal rampage of looting and killing of civilians. The troops, which landed in the state on the same day as when the Maharaja signed the Instrument of Accession, were assisted in their task by 'Abdullah brigades'. Sheikh Abdullah, appointed by the Maharaja as the Emergency Administrator for the state, had formed a civilian defense group, consisting of militia groups of men and women, from both the Hindu and Muslim communities, for the purpose of supporting the Indian army by guarding bridges, factories, schools and other strategic public buildings (Khan, 2014, 124–29). Abdullah's government, although technically an emergency administration, was viewed by Kashmiris as finally ushering in their freedom not only from oppressive Dogra rule, but also from the earlier foreign rule of the Sikhs, the Afghans, and the Mughals. Kashmiri poet Ghulam Ahmad Mahjoor (1885–1952) lent poetic expression to the euphoria about freedom finally arriving at the doorstep of the Kashmir Valley in his poem, 'A Garden is Our Land' (Raina, 1989, poem 74). But this euphoria was in response to freedom and not to the accession. Even Abdullah referred to this moment as 'freedom before accession' in his speech to the UN Security Council on 5 February 1948.

The Maharaja's withdrawal and the Sheikh's leadership ushered in the promise of a new era: a new ideological agenda as outlined in the 'Naya Kashmir' Manifesto (1944) that envisioned a democratic, socialist society, and continued with the 'suitably-tailored discourse' of *Kashmiriyat*, promulgated to ensure the success of the nationalist movement against the Hindu ruler. This also had the effect of marginalizing the competing nationalist discourse of freeing Kashmir from Hindu rule and creating an Islamic society as advocated by Mirwaiz Maulvi Mohammad Yusuf Shah of Srinagar.¹ The slogan '*Sher-e-Kashmir ka kaya irshad – Hindu, Muslim, Sikh Ittehaad*' (What is the message of the Lion of Kashmir [Sheikh Abdullah] – Hindu, Muslim, Sikh Unity), represented the core of Kashmiri nationalism – the Kashmiri Muslim could remain religious, and at the same time be committed to *Kashmiriyat*, the 'secular' Kashmiri identity (Magazine, 2013).

Contrary to the popular view, which traces Kashmiri alienation to the 1953 arrest of Sheikh Abdullah, the seeds of political contestation, the assertion of

Islamic identity as a counter-identity to Hindu nationalism and dissatisfaction with the governance agenda of the first popular government were sown much earlier, indeed at the very moment the army dropped into the Valley to liberate Kashmir from the tribesmen. Since then, each period of Kashmir's political history was to contribute to the collective memories and conscience of the population, shaping and reshaping the nature of resistance, both in the everyday life of Kashmiri Muslims and in open collective assertion against the Indian state. The essence of Kashmiri Muslims' discontent can be captured under three headings: a perceived threat to their agency over the control of their territory (apprehensions within certain quarters about the state's accession to India); fear and anxiety of losing their religious identity; and disappointment with various governance agendas.

When the first Sikh regiment landed at the Srinagar airport to deal with the tribal invasion, their slogan '*Jo Bhole So Nihal, Sat Sri Akal*' caused anxiety amongst Srinagar's Muslim population. These fears were confirmed when seven people (some belonging to the NC militia), all Muslims except one, were inadvertently killed by soldiers unable to differentiate between the Kashmiri Muslim population and the tribesmen. The local population was outraged and carried the dead bodies in procession through the main roads of the city (Khanna, 2015, 171–72). In another incident, while returning to the Valley after depositing Hindu and Sikh refugees who had arrived in Anantnag from Muzaffarabad, the non-liberated part of Kashmir under the control of Pakistan, 14 Muslim tonga-drivers were killed by Hindu fanatics. NC leaders had to work hard to pacify the infuriated masses in Anantnag. The communal violence against the Muslims in Jammu loomed large, prompting the NC government to ask 'playwrights and poets to write plays and compose songs glorifying peace and brotherhood' (Qasim, 1992, 40–41).

But events affected not only the identity side of the ledger; there were also important developments on the governance side. The peasantry, the core support basis of the NC, was disappointed with the Abdullah government's failure to deliver on the most important plank of the 'Naya Kashmir' manifesto – land reform. Though land reform had been the first item on the governance agenda of the NC, there were several loopholes, which made the legislation ineffective. A huge exemption was given to the landlords for maintaining control over their fruit orchards. The landlord was also given the right to choose the legally allowed portion of land (182 hectares), which effectively gave him, as Qasim notes, 'the tool to extort money from his tenant on the threat that he would choose to keep his tenant's land with him' (1992, 45). In addition, the NC did not keep its promise to abolish or rationalize the Dogra *mujjwaza* system, under which the farmers

contributed a part of their produce to support the city population (Prakash, 2000, 2054). Furthermore, the state paid the farmers a very low price for this contribution. Qasim notes, 'The food Minister made things worse for the farmers by introducing a new scheme to determine the quantity of food lying "surplus" with them, on top of the existing levy on food produce' (1992, 46).

All this was to cause the poet Mahjoor, lamenting the fact that *aazadi* was meant for only a noted few in the state, to exclaim that the people's hearts belonged not to India but to Pakistan. His earlier verses extolling the virtues of freedom should be contrasted with his later writings, just before his death, which reflected his disappointment. The early composition reads:

O bulbul, let the freedom urge possess your soul!
 Bid good bye to your cage, step out,
 Gather your flowers and enjoy their bloom!
 (Raina, 1989, poem 69).

In the later poem, we read:

Freedom, being of heavenly birth,
 Can't move from door to door;
 You'll find her camping in the homes
 Of a chosen few alone.
 (Raina, 1989, poem 78)

Another verse from his poem, 'Bidad' (Complaint), expresses the sentiments of the people questioning the accession and was later to become a popular slogan raised at public protests (including at Indo-Pakistan cricket matches):

To buy salt, I went to the National Conference shop.
 He set a condition, first join India.
 Hearing this, I started trembling,
 How could I do, for my heart lies with Pakistan.
 (Mufti, 2013)

It is interesting that the former Chief Minister, Farooq Abdullah, was to repeat the sentiments expressed in Mahjoor's verse '*Dil chum Pakistanas saeth*' (My Heart Lies with Pakistan) on 21 April 2016, while addressing a gathering in Anantnag on the death anniversary of senior NC leader Abdul Gani Shah, 'Kashmiris love Pakistan and economic packages are not going to change that. India has spent a lot of money in Kashmir but they have not been able to take out Pakistan from the hearts of Kashmiri people' (*The Tribune*, 22 April 2016).

Post Abdullah-arrest Kashmir politics

In the Hindu-majority Jammu region, in 1952, the local Praja Parishad Party, which had close links with the Rashtriya Swayamsevak Sangh (RSS) and which was implicated in a massacre of Jammu's Muslims in 1947, launched an agitation for the state's complete accession to India. The loud and vocal communal response of this small minority of Jammu's Hindus to Article 370, was to cause Sheikh Abdullah openly and publicly to consider a third option – independence for Kashmir. He was also clearly cognizant of the Kashmiri Muslim reaction to Hindu chauvinism. In a letter to Maulana Azad in early 1953, noting the hesitant attitude of the Kashmiri Muslim population towards the accession to India, he observed that a declaration by the Indian Government granting permanent special status at this time 'would not suffice to dispel the fears that have arisen in the minds of people of Kashmir' (Lakhanpal, 1965, 247).

On 8 August 1953, Abdullah was deposed and imprisoned and a centrally-approved government under Bakshi Ghulam Mohammed, now Prime Minister (he had been Deputy Prime Minister and Home Minister in the Abdullah government), was installed. At the same time, India's Home Minister, G. B. Pant, declared in a press conference that plebiscite was no longer a possibility: 'the time factor was important and many things had happened since, which ruled out a plebiscite' (Tremblay, 1996–97, 483). In November 1956, the J&K Constituent Assembly adopted a new constitution for the state, confirming accession and the formal special status relationship with India – granting internal autonomy to the state except in the areas of foreign policy, defence and communication. In the event, however, the period between 1956 and 1974 would witness the slow and steady abrogation of Article 370.

As the Indian parliament is constitutionally bound to obtain the state government's prior concurrence in order to apply its laws to the state, it was the cooperation of four successive state governments – Bakshi (1953–63), Shamas-ud-din (1963–64), G. M. Sadiq (1964–71) and Mir Qasim (1971–75) – that made it possible to amend the J&K constitution. Sadiq was also to merge the state's ruling NC into the Congress. What has remained intact are Article 35A and Section 6 of the state's constitution labelled 'Permanent Resident', giving legal and constitutional legitimacy to state-determined citizenship provisions. Through the Permanent Resident requirements and several other legislative acts, J&K has chosen, unambiguously, to 'protect' its citizens from others settling in the state and prevent any settlers from laying claim either to the acquisition of immovable property or to employment in the public sector.

The progress of integrative politics was briefly interrupted in 1974 when Sheikh Abdullah re-entered mainstream politics with the signing of the Kashmir Accord (aka the Indira Gandhi and Sheikh Abdullah Accord). Upon receiving an overwhelming mandate in the 1977 legislative assembly elections, in an attempt to bring Kashmir politics back to pre-1953 days, Abdullah set in motion a political agenda built around the dual themes of reasserting Kashmir's autonomy and delinking Kashmir from mainstream national politics. In 1981, the NC, which had been revived in 1967 by his supporters and which Sheikh Abdullah now headed, passed the resolution, 'Towards New Kashmir Autonomy'. Here the party members pledged to refuse co-operation with those central laws that were detrimental to the state's autonomy and to put an end to any further encroachment on the state's sovereign right to be ruled by its own constitution. As an assertion of the distinct and independent status of the state, one of Abdullah's last initiatives before his death in 1982 was to legislate the Resettlement Bill allowing Kashmiri citizens settled in Pakistan and Azad Kashmir to return freely to the state.

In the immediate post-Sheikh Period, 1982–89, integrative politics resurfaced in the Valley, along with direct interventions by the central government under Indira Gandhi. Farooq Abdullah was first installed as Chief Minister at Indira Gandhi's instance, then dismissed in June 1984 by Governor Jagmohan. G. M. Shah (Farooq's brother-in-law who had objected to Farooq's appointment) defected from the party, along with 12 members from Farooq's NC and joined 26 Congress members. G. M. Shah was then brought in as Chief Minister. Because of his inept rule and following communal riots in south Kashmir, Shah's government was dismissed on 12 March 1986. In 1987, the Farooq-Rajiv Accord brought Farooq back into power and for the first time a new government, based on a partnership between the national party and the regional party, was formed in the state. The subsequent state assembly elections, which the NC and the Congress contested in coalition, were massively rigged to ensure the coalition's victory. The Muslim United Front, an 11-party opposition alliance (with Jamaat-i-Islami backing this opposition), had been clearly cheated out of the elections. The consequences were momentous.

In 1989, a full-blown political insurgency with widespread mass support erupted in the Valley, bringing together the irredentists (Islamic groups seeking unification with Pakistan) and the secessionists (groups seeking autonomy for the state). Kashmiri militants crossed the border into Pakistan-administered Kashmir and received both weapons and military training. The *aazadi* cause became the rallying point for those opposing the state government and India.

Daily demonstrations, accompanied by violence targeted at supporters of the government, members of the ruling party and alleged government informants (mostly Kashmiri Hindus), caused a complete breakdown of law and order and literally paralysed the administrative and governmental machinery of the state. Anti-Hindu announcements in neighbourhood mosques, such as, '*Kashmir kiske liye? Mussalman ke liye*' (Kashmir is for whom? For the Muslim), resulted in a large, almost total exodus of most of the Valley's Hindu (Pandit) population. Farooq's government was dismissed and Governor's rule was instituted later that year. The militants' violence was reciprocated by repressive state violence, with significant increases to the already massive military presence in the Valley. In the course of counter-insurgency, numerous, often egregious, human rights violations by the security forces were almost a daily occurrence – notable episodes of fake encounters, massacres, disappearances, arson and rape occurred in Gawakadal (1990), Kunan Poshpora (1991), Bijbehara (1993), Pathribal (2000) and Machil (2010) (Schofield, 2000, 156–57; Qutab, 2012, 256–58; Geelani, 2014, 31–34).

In 1996, continued *jihadi* violence and its harsh impact on the daily lives on the population facilitated the Indian Government's attempts to revive the electoral process. Since then, the Valley's Muslims have willingly participated in the electoral process (four assembly elections in 1996, 2002, 2008 and 2014, and six parliamentary elections), although it would be wrong to interpret that as signalling the waning of either their resistance to the Indian state or their *aazadi* aspirations. Regional polarization remains the dominant theme, with the NC and the PDP occupying most of the political space in the Valley (Tremblay and Bhatia, 2015). Earlier, during the seven years of the 1989 secessionist movement, the elected local governments had discovered that Kashmiri Muslim alienation runs deep, that resistance to the state is broad-based and that there is wide distance between their own political position and the political position of those who resist the state.

Through this learning process, these Valley-based regional parties adjusted their strategies so as to allow them to claim both compliance and legitimacy. And these strategies require them to promise improved governance to the population while at the same time acknowledging that collective identities matter. Each has carved its own political space within its distinct agendas of governance, autonomy and the India-Pakistan equation with regard to the Kashmir issue. They understand that electoral and democratic politics in the Valley remain circumscribed by concerns – regarding human rights violations, excesses by security forces, civilian killings and threats to their religious identity, among others – of a larger alienated citizenry, which continues to be mobilized in favour

of *aazadi* by nationalist/secessionist groups. To reinforce their own personal Kashmiri identity, politicians now sport the *pheran*, the traditional attire, when addressing mass rallies or meeting with the general public. *Karakuli topis* (skull caps), associated with Sheikh Abdullah and his deputy, Mirza Afzal Beg, have been relegated exclusively to official functions.

In 2002, the PDP and the Congress formed the government, rotating the post of Chief Minister – Mufti Sayeed till 2005 and Ghulam Nabi Azad till 2008 – when the Amaranth Land row led to resurgent calls for *aazadi* (Tremblay, 2009). In 2008, the NC, under Omar Abdullah, led the government, once again in coalition with the Congress. The most recent assembly elections held in 2014, which resulted in a clear split in the legislature between Hindu-majority Jammu and predominantly Muslim Kashmir – with the PDP winning 28 seats, almost all from the Kashmir Valley, and the BJP winning 25 seats from the Jammu region – necessitated the formation of a ‘partnership government’, solely on pragmatic grounds, to deliver the governance agenda. For the first time in the electoral history of the state, the BJP emerged as the dominant party in the Jammu region, although with no presence in the Valley. On the other hand, the PDP, which won most of the seats in the Valley, did not actually receive a strong mandate and could not be perceived as the predominant party in the Valley.

However, the PDP electoral success could be attributed to five major events in Kashmir Valley that questioned the effectiveness of the incumbent Omar Abdullah government. In Shopian in May 2009, the rape and murder of two women was mishandled initially by Omar’s administration, even as he scolded journalists for using the word ‘rape’ and not ‘alleged rape’. Angry residents of Shopian resorted to large-scale protests against the administration. For several months Shopian virtually remained a no-entry zone for the government. No minister visited, fearing backlash from angry residents demanding justice.

Then, in December 2009, it was revealed that that across 55 villages there were 2,700 unknown, unmarked mass graves containing almost 3,000 bodies. These graves are believed to be those of the victims of both the security forces as well as militants in the Valley. In August 2011, the State Human Rights Commission (SHRC) confirmed the presence of mass graves in Kupwara, Baramulla and Bandipora districts of the Valley. This was the first official acknowledgment of disappeared civilians and that some of them might have been buried in mass graves in the Valley. Omar Abdullah’s inability to move on the deoxyribonucleic acid (DNA) confirmation was seen by the Association of Parents of Disappeared Persons (APDP) as both callous and cruel.

Third, a four-month-long series of protests in June 2010 in the form of stone-pelting resulting in the loss of 112 lives (mostly young men under the age of 34), began when it became known that the Indian army had killed three young men in a staged encounter in the Baramulla district, claiming that these young men were 'Pakistani infiltrators'. The protest gained momentum when, on 11 June a 17-year-old student was killed by a tear gas shell during a protest. This led to further demonstrations and clashes with police, resulting in the death of another person, eventually cascading into 112 deaths. With the spread of unrest throughout the Valley, the state government imposed a constant curfew that was regularly defied by protestors. On 28 August 2011, Omar Abdullah announced an amnesty package for nearly 1,200 youths arrested during the agitation in the Valley, but damage to his leadership had already been done.

Fourth, the February 2014 hanging of Afzal Guru, the prime accused in the attack on the Indian parliament in 2001, was another controversial issue which was to mar Omar Abdullah's reputation and perceptions of his ability to handle the central government, and his alliance partner, the Congress. In two controversial decisions, the government informed Guru's family only through mail of his impending hanging and decided not to hand over his body to his family members, burying it instead inside the jail complex. Omar criticized the Indian Government for using the death penalty on a selective basis and not having the courtesy of informing the family personally prior to Guru's execution. In light of his earlier record, his statements resonated little amongst the Valley's population, which once again reacted with anger. Anticipating a massive reaction, an indefinite curfew was put in place in the Valley along with the deployment of a large number of security forces.

Omar Abdullah further lost his credibility when, despite his pro-active and vocal attempts, he failed to fulfill his 2008 campaign promise of partially revoking the AFSPA that grants unbridled powers to security forces. Added to this mix were the devastating floods in the Valley in September 2014, causing the death of 300 people and the massive destruction of property. While Omar Abdullah blamed the central government for their delay in releasing funds for the rehabilitation of the flood victims, the Valley's population held Omar responsible for his inept leadership in delivering relief to the population.

On 1 March 2015, the PDP and BJP announced a 'partnership government' which, while agreeing to disagree on their ideological contradictions, would implement an Agenda of Alliance (AoA).² While the partnership between two ideologically opposed parties might appear unnatural to a casual observer of

Kashmir politics, the ground for the severance of the good governance agenda from identity-based issues had already been laid out by previous governments headed by the two mainstream Valley-based political parties. Modi, on the eve of the formation of the PDP-BJP alliance government, termed the AoA a 'historic opportunity' to fulfil the aspirations, interests and priorities of the people of J&K. Mufti Sayeed, the architect of the AoA, voiced the hope that this Agenda, in partnership with the BJP, could represent a paradigm shift in Kashmir's political history and start a new era of peace and development in all three regions of the state. Moreover, for him this was also an opportunity for India to win the hearts of the people of the state by overcoming 'the distance' they felt from the rest of the country (Geelani, 2015).

Consequently, in the agreement, the BJP shelved its position on the abrogation of Article 370 and the PDP likewise stepped back from self-rule and related demands for autonomy. But Mufti ensured that the agenda would accommodate the PDP's demands – for soft borders (travel and trade across the LOC) and for opening up dialogue with all internal stakeholders (including separatists) – to build a broad-based consensus on the resolution of all outstanding issues in J&K. The state government was to be transformed into a pro-active, transparent and accountable government that would create an enabling environment for the all-around economic development of the state.

However, during the first ten months of the coalition government, the AoA remained largely undelivered. While contemplating her desire to lead the coalition government, Mehbooba Mufti, in addressing her party workers in February 2016, expressed very clearly her father's disappointment with the PDP-BJP coalition:

Non-fulfilment of promises made by us to the people in the last 10 months taxed Mufti sahib heavily. ... Till the time he was talking in the Intensive Care Unit of AIIMS, Mufti sahib asked me whether a relief package promised by the Centre had reached the state ... I said yes. I lied to my father (Indo-Asian News Service, 1 February 2016).

The coalition government remains unpopular in the Valley for the obvious reason that the people are suspicious of the BJP's motives (that they ultimately aim to revoke Article 370). But it is in the governance arena that the Kashmir Valley has seen the biggest failure of the coalition leadership to live up to its promise of 'smart government' providing 'smart governance'. A delay of ten months to commit to financial support to the state toward the rehabilitation of thousands of 2014 flood victims has brought forth general disappointment in the Valley with both India

and the state government. One could add to that the continuance of the AFSPA, which remains a key obstacle to addressing the trust-deficit.

On the other hand, even the Hindu-dominated Jammu region, the BJP's major constituency, remains dissatisfied with the lack of fulfilment of the BJP's promise of the equal development of Jammu. The Government of India's decision last year to establish an All India Institute of Medical Sciences (AIIMS) in the Kashmir Valley was met with massive public protests from Jammu. Similarly, exiled in the wake of the 1989 insurgency, Kashmiri Pandits, initially big supporters of the BJP, now accuse the BJP of breaking their promise of facilitating their safe return to their homes in the Valley. While the PDP-BJP government has remained committed to fulfilling its promise of resettling Kashmiri Pandits, the BJP's proposal to ask the state to find land for separate townships for these families was met with wide criticism by all parties concerned and gave rise to large-scale protests in the Valley. Chief Minister Mufti Sayeed publically denounced any plan for separate townships. And if all this was not enough to derail the AoA, beef politics, reminiscent of the 2008 Amarnath land row, engulfed the state's two regions, as Hindu fundamentalists placed the banning of beef on the state's public agenda, thereby deepening communal and regional polarization, and solidifying vertical divisions.

Instead of a reduction in regional tensions and a moving forward on the governance agenda, there is an increasing communal, regional polarization, a renewed assertion of separatist politics in the Valley and the promotion of a hard-core Hindutva agenda in Jammu. The net result has been an undermining of each party's support base, which seriously places the durability of the alliance into question. Separatist groups have once again been able to mobilize the Valley's discontented population, and the Hindu nationalists, within and outside the elected assembly, have become emboldened thereby threatening the carefully cultivated identity of *Kashmiriyat*. Added to all this is a national discourse of intolerance where Kashmir's demands for the preservation of its distinct identity and status are interpreted as anti-nationalist and anti-India (for instance, the Jawaharlal Nehru University, JNU, protests where Kashmir's *aazadi* and Afzal Guru's hanging figured prominently, and the National Institute of Technology, NIT, student conflict over a cricket match, both in early 2016).

On 4 April 2016, after three months of Governor's rule, Mehbooba Mufti was sworn in as the thirteenth Chief Minister of Jammu and Kashmir, with a commitment to take forward the 1 March 2015 AoA. It took three months, after the death of her father in January, for Mehbooba to decide whether to continue

with the PDP-BJP coalition and its agenda. The road ahead for Mehbooba and Kashmir politics is difficult and challenging. After more than six and a half decades, the ground realities have not shifted much. In many respects, they have worsened and become even more complex, with increasing inter-regional and religious tensions. On the one hand, Kashmiri citizens remain intensely disenchanted with the Indian state, and, on and off, with the regional state apparatus, while their ethno-nationalist aspirations remain deeply entrenched. On the other hand, the Hindu fundamentalists in Jammu have become emboldened with the electoral success of the BJP in both the parliamentary and legislative assembly contests in the state in 2014. Once again, J&K is in the midst of the vicious reinforcing cycle of Hindu nationalist and pro-integrationist demands in Jammu, which exacerbate Muslim alienation and encourage separatist politics in the Valley, which in turn only seem to further encourage the Hindu fundamentalist response.

Tracing Kashmiri subaltern resistance: From *raishumari* to *aazadi*

Since 1948, as mentioned earlier, Kashmiri public discourse has incrementally progressed from the demand for *raishumari*, then for autonomy, and finally, for *aazadi*. *Aazadi* carries within it multiple meanings: *raishumari* itself (the right to self-determination, or *haq-e-khudiradiyat*, as promised by Nehru, and then later confirmed by the UN Security Council Resolution of 1948); the protection of Article 370 as originally agreed upon in 1950–52; the restoration of Kashmir as a nation and not as a *riyasat* (state within India); and the protection of Kashmiri Muslim religious identity, a life of dignity and human rights. In the battle for *aazadi* that has been ongoing for several generations, each generation introduces new motives and intentions to the discourse, and reinterprets it based on multiple sets of memories, with multiple layers of experiences resulting from *ressentiment* (Greenfeld, 1992, 250), and a desire for the recognition of their rights. The children of the nationalist movement against Dogra rule (1931 to 1947) are not the same as those of the 1963 *Moi-e-Muqqadas* (the sacred hair of the Prophet Mohammad) episode. Most significantly, the children of the 1989 conflict have grown up in the last two decades, among other things, with violence (both militant and state-sponsored), control of the streets by the security forces and with no experience of living with their Hindu neighbours. For them *Kashmiriyat* is an ideological, idealized construct and not a lived experience.

The Plebiscite Front, founded in 1955 by Mirza Afzal Beg, a close associate of Sheikh Abdullah, placed *raishumari* on the political agenda of the state. Abdullah's popularity had experienced an upsurge at the moment of his arrest,

and although Abdullah never formally aligned himself with the new party, the Plebiscite Front's slogan, '*This is our Kashmir, Iska Faisla hum Karenge*' (we will decide its future), became a household catchphrase. Abdullah confirmed his commitment to *raishumari* immediately after his release in 1958 in a statement to press, stating that, 'the expression of the will of the people through a plebiscite is the one formula which has been agreed upon' by India, Pakistan and the United Nations (Swami, 2007, 33).

The Bakshi government's approach to quelling this discontent was to engage in patronage politics and to adopt a variety of populist measures, such as lowering the price of rations (rice, wheat and sugar) and making education free from school to university, all this accompanied by rampant corruption in the Valley. These measures did achieve limited success. The Valley appeared to be normal, but *raishumari* slogans continued to be raised, often in spontaneous protests around the issues of jobs, ration and electricity. The 27 December 1963 disappearance/theft of *Moi-e-Muqqadas* during the Friday *deedar* (showing) at the Hazratbal Shrine was a memorable event in terms of conflating the demands for *raishumari*, good governance and the protection of Kashmiri Muslim identity. During the next ten days, until the discovery of the sacred hair on 7 January 1964, the streets of Srinagar were the scene of large, daily processions where anger was expressed against the local government and India. Rumours abounded that Bakshi had borrowed the holy relic to give a *deedar* to his ailing mother. Villagers from different parts of the Valley flocked into Srinagar to participate in these protests. The Valley came to a standstill, with all shops closed, many in the Hindu community wearing black badges on their sleeves as signs of solidarity with the Muslim community, while Radio Kashmir programming confined itself to the reciting of verses from the *Quran* interrupted only for official news bulletins.

From 1977 onwards, Kashmir's distinctness and its autonomy within the Indian federation were to emerge as the major thematic framework of Sheikh Abdullah's government, thus formally putting autonomy on the Valley's political agenda. After the liberation of Bangladesh, Abdullah felt that this was the best Kashmir could hope for. A sustained rhetoric of autonomy, calling for the pre-1953 status, and the reversal of the integrative measures, which had diluted Article 370, helped Abdullah to maintain a strong popular base in the Valley. However, his abhorrence for any political opposition, which led to the denial of space for dissenting voices, made him lose popular support. He dissolved the Plebiscite Front and merged it into a revived NC. The *raishumari* agenda, however, was kept alive by Mahaz-e-Azadi (a party formed by the members of the Plebiscite Front

who were opposed to the Abdullah-Gandhi accord), the Jamaat-i-Islami and the Awami Action Committee.³ Despite their contradictory meanings, the demands for *raishumari* (self-determination) and autonomy (pre-1953 status within the Indian federation) came to co-exist in the popular domain.

The years 1988 and 1989 witnessed the transformation of Kashmiri demands for autonomy into demands for *aazadi* (political freedom). Putting aside their differences, two prominent Valley-based groups – Hizbul Mujahideen espousing unification with Pakistan and the JKLF demanding the unification of Pakistani- and Indian-administered Kashmir and their establishment into an independent state – came together (with Pakistan's help) to demand freedom for Kashmir. The immediate catalysts for this secessionist movement, as pointed out earlier, were the rigging of the 1987 elections, thus stealing it from the popularly supported Muslim United Front (MUF). The MUF leader Muhammad Yusuf Shah would adopt the name Sayeed Salahuddin and lead the Hizbul Mujahideen, while Yasin Malik, Shah's election manager, would lead the JKLF.

The younger generation of leaders of the 1989 *aazadi* movement, such as Shabir Shah, Yasin Malik and Mirwaiz Omar Farooq, were to benefit from the links with Pakistan that had been established by the peripheral, small-scale, organized, covert organizations since the mid-1960s as they carried out intermittent operations against the Indian state with Pakistan's support. Among these were the Students and Youth League (formed in 1964), the Master Cell and its five subsidiaries and the Revolutionary Council (both formed in 1965), all of which sought the liberation of the state. Their membership consisted both of the sons of influential families in the Valley – educated or being educated in prominent state educational institutions such as the Medical College and the Regional Engineering College in Srinagar – as well as employees of the state government. These groups were involved in small-scale grenade attacks, arson and stone-pelting incidents. In 1968, eight students were arrested for stealing rifles belonging to the National Cadet Corps from Islamia College Srinagar. In 1971, a new group, Al Fateh, was involved in a bank robbery in Srinagar and the hijacking of an Indian Fokker Friendship Plane to Pakistan. Some 250 students were arrested in connection with Al-Fateh's anti-state activities. Only 16 were tried on charges of sedition and waging war against the state. As Swami points out, 'Covert warfare was not in itself adequate to capitalize on conditions as they existed on the ground, and transform them into a mass uprising' (Swami, 2007, 77).

So what happened in the Valley that finally brought Kashmiri Muslims *en masse* publically to support an *aazadi* movement in 1989? No doubt, there was a

general disappointment at the election results and associated corruption. Sumit Ganguly's thesis also holds true that increased participation resulting from a dramatic expansion in literacy and the absence of political institutions capable of providing an outlet to the dissident population have to a large degree been responsible for the rise of political militancy (1997, 21–42). But one must admit that all this was nothing new in the Valley. It is clear that *aazadi* has been on the minds of the subaltern Kashmiris all along, as shown in this chapter. The 1989 movement was one of many expressions of their resistance politics.

Yet, it was the inept handling by Farooq Abdullah's NC-Congress coalition government of pure governance issues that started the ball rolling. In June 1988, at a time when the power supply was particularly erratic, protest marches against a steep rise in power tariffs turned violent and 35 people were killed by police. Instead of acknowledging the anger of the people over the issue, Farooq's government blamed 'anti-national' elements for creating mischief against the government. Sporadic terrorist acts followed and the usual processions and demonstrations took place on India's Independence Day, 27 October (date of accession) and on Republic Day. In early 1989, disappointment with poor governance became conflated with religious identity issues on the occasion of a massive demonstration against Salman Rushdie's book *Satanic Verses*. This set into motion what was soon to become a chain reaction of strikes, processions, cross-firings between the militants and the security forces and burning of government buildings and vehicles. The security response was massive, and Farooq compounded the damage by making a public statement to the effect that all violent protests would be dealt with harshly.

Despite the reactivation of the electoral process and the formation of popularly elected governments, demands for *aazadi* have not abated. The Valley erupts sporadically; the 2008 Amaranth land row and the 2010 youth protests were reminiscent of the events of the late 1980s that culminated in the Kashmir Valley's mass-supported opposition to India, the breakdown of the administrative framework, and a reliance on the security forces to deal with the escalating ethno-nationalist upsurge. Now, once again in 2016, the Valley appears to be in the throes of a mass-supported protest politics. Spontaneous protests against police and security forces have become common occurrences even in those areas that had been largely peaceful for over a decade, and where secessionist organizations such as the Jamaat and the Hurriyat had not previously been able to mobilize the population.

Militant violence is very much on the rise and the killings by the security forces produce, in response, mass protests, violent encounters with the army and

the police, shutdowns of towns through curfews and the suspension of internet and train services. People defy curfews and attend the funeral processions of the slain militants shouting anti-India slogans. The local population has begun to protest against the installation of army bunkers in the middle of their towns. Recent events in India, furthermore, are a constant reminder to Kashmiris that their Kashmiri Muslim identity is under threat: the lynching of a Dadri Muslim man over the consumption of beef; at times troubling treatment of the Valley's Muslim students in colleges and universities in India; sedition charges against JNU student leaders for raising slogans in favour of *aazadi* and the hanging of Afzal Guru, and the Sangh Parivar's Bharat Mata Campaign.

Rituals of resistance

During this long and protracted local resistance, all those who take on dominant state power have acquired the status of heroes, such as Sheikh Abdullah (only to lose that status when he returned to power in 1977), Maqbool Butt, Afzal Guru and others. Indeed, an alternative public events calendar, flaunting authority and celebrating such heroes, is part of the recognized repertoire of public resistance. By reinforcing personal memories of Kashmiri grievances, a heightened collective memory embodied in this calendar of past and present momentous events, reinvigorates and renews Kashmiri resistance on a continuing basis. Included in this calendar are: 13 July Martyrs' Day (in the memory of 21 Kashmiris killed in 1931 by the troops of the Dogra Maharaja outside the Srinagar Central Jail); 27 October Occupation Day (signing of the Accession Treaty); 9 and 11 February Martyrdom Anniversaries of Butt (hanged on 11 February 1984) and now Guru (hanged on 9 February 2013) – both known as *Shaheed* (martyrs), with Butt also being referred to as *Baba-e-Qaum* (father of the community).

There is no doubt that since 1948, Pakistan has emerged as the most essential symbol of Kashmiri resistance. Pakistan is revered by Kashmiri Muslims for consistently challenging the Indian state and has earned their appreciation for providing moral and military support to the resisters, along with its overt rhetoric that aims to internationalize the Kashmir issue (it should be pointed out that this is largely done by the Pakistani elite for their own existential purposes). But, while raising a Pakistani flag or celebrating a Pakistani cricket team victory or the defeat of the Indian team by any other country may be an oppositional act against India, it is not necessarily an expression of a popular desire for Kashmir's association with Pakistan. Often slogans such as '*jeeve, jeeve Pakistan*' (long live Pakistan) are raised by youth (and by children) with no deeper aim than to irritate

the Indian army. Pakistan Radio, particularly Muzaffarabad Radio, is listened to in the privacy of people's homes. During any India-Pakistan conflict, Kashmiri Muslims tend to trust the Pakistani rather than the Indian version of events. Similarly, in their ordinary day to day lives, oppositional acts are performed to confirm their Islamic identity, such as by trusting Pakistani clerical authorities over their Indian counterparts. It is a well-known fact that Kashmiri Muslims start the Eid celebrations only when the Pakistan Mullah declares the holiday.

Pakistan has come to co-exist with other locally generated symbols of resistance against India. Local cricket teams in South Kashmir, hub of the *aazadi* movement, have been named after Hizbul Mujahideen militants. For example, the Burhan Lions are named after Burhan Muzaffar Wani, currently one of the most recognizable faces of the militancy. His 2015 video to recruit young Kashmiri men to rise against Indian oppression went viral on Facebook and WhatsApp. Team Aabid Khan Qalandars' namesake is Hizbul commander Aabid Khan, who was killed in 2014. Moreover, although it is illegal to do so, beef is eaten by Kashmiri Muslims as it tends to be cheaper than other meats and useful during the winter months when every edible commodity is in short supply (although out of respect for the Hindu community, it is referred to as the 'other meat'). Both Kashmiri Hindus and Muslims have known that the Kashmiri Muslim community consumes beef, but there has always existed an implicit understanding between the two communities, or to use Dipesh Chakrabarty's expression, they enter into practices of proximity whereby differences are neither refined nor erased, but negotiated (2002, 148).

While Jama Masjid and Hazratbal Shrine remain the two traditional home fronts for Kashmiri nationalists to mobilize the Muslim population, the Lal Chowk and Eidgah 'martyrs' graveyard' (both in downtown Srinagar), have become the two major public sites for protests. Eidgah, where Srinagar's Muslim population used to gather on Eid to offer prayers, has now become a site for *Jinazah* and *Fateh Khawani* prayers offered during last rites. Lal Chowk (Red Square), where Nehru had raised the Indian flag in 1948 and promised a plebiscite to the people of Kashmir, has become enmeshed with acts of resistance and domination and competing and contradictory nationalisms; here green colour flags, representing Pakistan and Azad Kashmir, are raised by Kashmiris and the Tricolour (Indian flag) is raised by the Indian forces during India's Independence and Republic Days.

For Kashmiri Muslims, the streets are sites of contestation between them and the state. With the massive presence of security forces, the streets have increasingly become 'the domain of state power which regulates their use, making them orderly. It expects the users to operate in them passively' (Bayat, 2000, 552). Recently,

public grieving on the streets of towns for slain militants has emerged as yet another symbol of protest and resistance. Until 2014, most militants who were killed fighting the security forces received no more than a decent burial as per their religious rites. Now, funerals have taken on a new meaning as a pan-Kashmir phenomenon, which pays tribute to all 'martyred *mujahideen*' and affirms that the responsibility for the loss of these valued human lives lies with India. In public bereavement on city streets, the demonstration of grief is to 'make the disappeared visible and perhaps reclaim the dead' (Chakravarty, 2016).

Each funeral witnesses large gatherings of men and women from neighbouring towns and villages. In earlier protests, the crowds were comprised mostly of men, but recently more women have begun to attend. In fact, the number of women participating in funeral processions while singing *wanwun* (Kashmiri songs of valour and loss) as well beating their breasts has been quite astounding. The heroes' bodies are garlanded and, as most of the militants are unmarried, women apply henna on their bare hands to celebrate the marriage of the dead ones. There is no distinction made between the funeral of a local person and a member of a Pakistan-based militant outfit. In November 2015, at the funeral of Lashkar-e-Taiba commander, Abu Qasim, 20,000 men and women of all ages wept openly and buried him in a local martyrs' graveyard in Budgam. After the killing of any rebel, people suspend their business for days together. The messages of grief, martyrdom and resistance against the state are widely circulated through videos of the funeral processions that are posted on social media.

Kashmir beyond intractability?

To conclude, the foregoing discussion suggests that the PDP-BJP's AoA – predicated as it is on the assumption that the successful performance of the coalition government in the areas of good governance and inclusive economic development should, at least partially, subdue identity-based politics in the state of J&K – is bound to remain flawed. The complexities of an entrenched identity-based conflict cannot be reduced to a simple relationship between governance, legitimacy and mobilization of the citizenry. Good governance might well prove a poor substitute for responding to the demands for dignity and justice arising out of the persistent deep-rooted sentiments of a separate identity. Given their intensity, identity demands, if unaddressed, can push the good governance agenda to take a backseat. Indeed, Kashmiri Muslims do not see a trade-off between *aazadi* and good governance. As one citizen aptly remarked, 'We want *aazadi*, and at the same time we also want *aazadi* from erratic power supply and bad roads' (Motta, 2009).

The Valley's resistance is complex, fluid, flexible and multi-sited with inter-layered realities, where the central node is everyday resistance. It is the quotidian practices, which give strength and momentum to the conflict. Kashmiri Muslims, whether they act out their oppositional politics through the articulation of a collective subaltern Kashmiri consciousness, or in mobilized response to the urgings of secessionist/nationalist groups, remain the main force in determining the dynamic and interlocking process between the demand for *aazadi* and effective local governance. The kind of strategy that the Valley's Muslims adopt depends very much upon how the state reacts to Kashmiri agitation, and how the resisters respond to the state's initiatives and gestures of reconciliation.

The movement of Kashmiri masses between strategic compliance and resistance is neither unnatural nor contradictory, but is contingent upon changing contexts and situations; moreover, both compliance and resistance can and do at times co-exist. As this chapter has shown, this implies that when Kashmiri masses participate in the governance process, they do not automatically abandon resistance and agitation. Peace will remain elusive in Kashmir if we do not recognize that in the everyday reality in the Valley, the resistance acts of the subaltern Kashmiris have the potential to undermine political power. In a real sense, theirs are the true Kashmiri voices and their resistance acts need to be understood if the Kashmir issue is ever to be freed from the trap of a protracted intractability.

Endnotes

- 1 While Kashmir's political history has revolved around competition between these two forces, each fighting for political space and accusing the other of fragmenting Kashmiri religious identity, yet there is also evidence of them working together, including during the formation of the Jammu and Kashmir Muslim Conference in 1932 and during the formation of the Action Committee when Prophet Mohammed's hair was stolen from the Hazratbal Shrine in 1963. Another opportunity arose in January 1965 following the integrative measures of the Sadiq government. Praveen Swami notes, 'New Delhi's pursuit of integration – perhaps driven by the increasing prospect of war with Pakistan – enabled Abdullah and the Mirwaiz to join hands, opposing what they saw as a predatory erosion of the state's autonomy. Both leaders started addressing joint meetings. Claiming that New Delhi's policies threatened the existence of Kashmiri Muslims as a category, they called for a boycott of all Congress supporters' (2007, 68–69).
- 2 The PDP subscribes to the idea of 'self rule' as a framework for the economic and social integration of the Indian state of Jammu and Kashmir and Pakistan-administered Kashmir, by setting up a Regional Free Trade Area and a common economic market, and establishing an ongoing dialogue with secessionist and nationalist groups in the Valley. The BJP's traditional agenda remains the revocation of Article 370, full integration of the state within the Indian federation and the repeal of Kashmiri state subject rights that disallow non-state subjects to own property and seek employment in the state.

- 3 The Jamaat-i-Islami began to build its political organization in the Valley in 1952. This pro-Pakistan party remains committed to the Islamization of Kashmiri society; it won five seats in the state legislative assembly during its first effort to contest elections in 1972. Sheikh Abdullah sought to render the party ineffective by banning its various activities, as well as closing its network of madrasas and forbidding its student wing, Jamaat-e-Tulba, from holding the World Islamic Conference. The Awami Action Committee was founded in 1964 by Mirwaiz Farooq in order to locate the missing holy relic, but after the relic's recovery and its authentication, the Committee continued as an anti-Abdullah group, committed to plebiscite in the state.

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Part III

REPRESENTATION

Embedded Mystics

Writing Lal Ded and Nund Rishi into the Kashmiri Landscape

Dean Accardi

Introduction

The Exemplar of the Gnostics, the Best of Lovers, an Enraptured One among the Partisans of the Reality of God, the Honorable Second Rabi'a, Bibi Lallamaji – the mercy of God be upon her – although she had the form of a woman, she in fact surpassed noteworthy men. One day while traveling naked and passing Hazrat Nur al-Din [Nund Rishi] – may his grave be hallowed – he stood to honor and serve her (Raina 1587, 36a).¹

Thus begins Muhammad 'Ali Raina's first account of Lal Ded in his *Tazkirat al-'Arifin*, the earliest known written mention of the famous and revered Kashmiri saint Lal Ded. For those familiar with her legacy, it comes as no surprise that the initial encomium of Lal Ded is immediately followed by her encountering Nund Rishi, for Lal Ded and Nund Rishi are two saints who have been venerated in conjunction with each other in Kashmir for nearly five centuries. In fact, these two mystic saints are so significant to notions of Kashmiri identity that poems attributed to them are often recited to begin Kashmiri cultural events and festivals, and a plethora of institutions in Kashmir have been named after them – from schools and colleges to a maternity hospital and even the Srinagar International Airport, officially named the 'Sheikh ul Alam Airport.'

Part of the reason that these two mystics carry so much significance for contemporary Kashmiris is that they hearken back to the Kashmiri Sultanate (1320–1586), a period many Kashmiris identify as 'the last time Kashmiris were ruled by Kashmiris', which is particularly significant for advocates of *Kashmiriyat*. The politically charged notion that Kashmir has a unique, non-communal cultural

heritage defined as *Kashmiriyat* is often invoked in an attempt to revive that non-communal Kashmiri culture as a possible means to resolve Hindu-Muslim violence and military conflicts over Kashmir. For advocates of *Kashmiriyat* and many Kashmiris more generally, Lal Ded and Nund Rishi are viewed as two of the greatest exemplars of Hindu-Muslim communal harmony. Furthermore, in this understanding of Kashmiri history, it is no surprise that the Kashmiri Sultanate was the last time that Kashmir's unique, non-communal cultural heritage was most evident; as advocates of *Kashmiriyat* claim, it is the advent of non-Kashmiri rulers over Kashmir, and the divisive social, political and religious ideologies that they brought with them, that generated and perpetuated the violence and conflict in Kashmir that continues to this day.

This chapter gives an account of these two saints, how their legacies have changed, why they are celebrated as two of Kashmir's most revered mystics and how they have come to be identified with Kashmir itself. Doing so will involve an analysis of the earliest historical and hagiographical sources upon which later legacies of these saints were built, and how these sources intimately associated Lal Ded and Nund Rishi with the Kashmiri landscape. I argue that the earliest sources and subsequent memorializations of these saints reiterated and reinforced their association with Kashmir as a place over the centuries. As a result, Lal Ded and Nund Rishi, their miraculous and mystical powers, and their legacies were effectively embedded into the land of Kashmir and rendered central and integral parts of Kashmiri identity; in effect, these saints were written into the fabric of Kashmir itself.

The saints

Uncovering the real lives of living, breathing saints of the pre-modern past is a difficult if not impossible task, especially when certain saints did not leave behind their own writings or other material records. Such is the case with Lal Ded and Nund Rishi. Therefore, all that is possible is to trace the ways in which hagiographers, historians and other authors have continuously reshaped representations of these two saints to serve their ever-changing circumstances. Nonetheless, certain elements of their life stories are consistent across many of these varying accounts.

Most Kashmiris past and present agree that Nund Rishi (whose other monikers include Sheikh Nur al-Din and Sahazanand) was born into rather poor circumstances in the late thirteenth century. However, instead of succumbing to a life of drudgery or crime, his virtuousness and spiritual predilections led him to a life of intense asceticism: eating little; maintaining strict chastity; wearing minimal,

ragged clothing; and remaining largely isolated on the outskirts of Kashmiri society to pursue religious practices and devotion. While accounts disagree as to whether Nund Rishi was initiated or given spiritual instruction by any of the Sufi masters in Kashmir in his day, most concur that Nund Rishi was foremost an Uwaisi, meaning that he received his true initiation and religious instruction primarily from beings in the spiritual world, such as deceased Sufi masters, prophets and angels. Nund Rishi's intense asceticism, devotion, miracles and teachings drew attention and admiration from the Kashmiri populace as well as acknowledgement and praise from other eminent Sufi masters. As a result, Nund Rishi accumulated a number of ardent devotees and founded the Rishi Order of Sufis.

From most accounts, the choice of the term '*Rishi*' for his Sufi order and his disciples was a conscious decision by Nund Rishi to tie his ascetic religious practices to the ascetic *rishis* of Kashmir's ancient past. While few doubt that Nund Rishi was a devout Muslim,² this invocation of pre-Islamic *rishis* illustrates a distinct kind of inter-religious understanding. According this understanding, presuming all religious pursuits take place within one, coherent, universal cosmos, all effective religious practices must correspond to some universal truth. Thus, if the ascetic *rishis* of old did in fact produce miracles, those miracles must have been gifts from the Divine as a result of their ascetic devotion. Furthermore, those miracle-wielding *rishis* must have also been intimate friends (*auliya*) with the same, one and only Deity, as miracle-wielding is a sign of sainthood (*walayyat*). Finally, whether the *rishis*' religious practices directly produced the miracles or their religious practices produced the saintliness that in turn caused the miracles, in a coherent and consistent universe, those same religious practices, if performed correctly, must be universally effective, and thus can and should be adopted. This is precisely what Nund Rishi is said to have done.

This acknowledgement of the validity of certain titularly³ non-Muslim religiosities is in no small part why he is popularly connected with Lal Ded. In fact, it is commonly held that Nund Rishi understood himself to be Lal Ded's immediate spiritual successor. This claim is usually supported with the following poem attributed to Nund Rishi in which he affords great praise to Lal Ded and expresses his desire to follow in her footsteps:

That Lalla of Padmanpor – she drank
Her fill of divine nectar;
She was indeed an *avatar* of ours.

O God, grant me the self-same boon! (Kaul, 1973, 88)

Who then was this Lal Ded? Known also as Lalleshwari, Lallamaji, Lalla 'Arifa',

or simply Lalla, Lal Ded is a much more mysterious and contested figure. Over the years, she has been represented and celebrated variously as an archetypal Hindu *bhakti* saint, an exemplar and popular exponent of Kashmir Shaivism, an elite Sufi mystic, a pious Muslim woman, a syncretic saint embodying Kashmir and its people, or a deeply spiritual poet who composed the first known verses in modern Kashmiri. Born into a non-Muslim family in the early decades of the fourteenth century, Lal Ded left conventional family life sometime in adolescence, either without marrying or after enduring an abusive marital household. Turning against the social expectations imposed on her, she took to the life of a wandering, naked ascetic, becoming haggard in appearance and confronting religious authorities of her day as their social and spiritual equal, if not as their superior.

Apart from these few general details about her, accounts of Lal Ded diverge considerably over time according to the individual commemorating her and the objectives behind the commemoration. Some of the most popular and widespread accounts of Lal Ded connect her directly with Nund Rishi. For instance, it is said that when Nund Rishi was born, he, out of his ascetic nature, refused to suckle from his birth mother. As he grew weaker by the day, Lal Ded overheard his crying as she wandered by, entered the house, and suckled him herself after chastising him that if he had enough shame to be born, he should be willing to suckle. This story, and the many stories like it, illustrates the widely-held image that Lal Ded was Nund Rishi's superior, his first teacher with wisdom greater than his own who both literally and symbolically nourished him from her own potent essence. However, different sources and accounts of Lal Ded depart from this image, some asserting that she never met Nund Rishi and that he merely appropriated her later. Nonetheless, one of the most popular poems attributed to Lal Ded indicates her own willingness to acknowledge the validity of different religiosities as long as they recognize the ultimate Divine truth:

Shiva pervades every place;
Do not differentiate between Hindu and Musalman [Muslim]
If thou art intelligent, recognize thine own self,
That is the true acquaintance with God (Koul, 1932, 15).

Thus, while accounts differ in their representations of Lal Ded and Nund Rishi, most concur that they were both devoted ascetic saints of fourteenth-century Kashmir who acknowledged the religious diversity of their time and yet recognized the validity of religious practices and the high spiritual status of certain saints with religious affiliations not necessarily their own.

Historical context

The fourteenth century witnessed the establishment of the Kashmiri Sultanate (1320–1586), the first time that Kashmir was ruled by a Muslim dynasty. The last successful ruler of the Lohara dynasty, Suhadeva (r. 1301–20) sought to secure his rule against his rivals. When the military leader Shah Mir arrived in Kashmir with his tribe from Swat in 1313, Suhadeva bestowed on Shah Mir a land grant (*jagir*) near Baramulla in return for military service. However, when the Mongol general Zulju and his troops invaded the Kashmir valley in 1320, Suhadeva's reign was broken, and in the aftermath, the Ladakhi Buddhist prince, Rincana, usurped the throne. Chief advisors and rival nobles of the Kashmiri court expressed doubts regarding the purity of Rincana's ancestry, thus calling into question his right to rule. In response, Rincana converted to Islam, adopted the title Sultan Sadr al-Din, shifted patronage to Islamic institutions and advisors, and officially began the Kashmiri Sultanate. After Sultan Sadr al-Din died in 1323, his son Haidar, who was only a minor, remained under the guardianship of Shah Mir, and his widowed mother, Kota Rani, acted as true Regent. By 1338, Shah Mir gained the favour of most of the court nobles, and facing immanent dethronement, Kota Rani married Shah Mir, establishing him as sultan and his descendants as the dynastic rulers of Kashmir through 1561 (Hasan, 1959, 33–51).

The political and religious policies of the Kashmiri Sultanate varied considerably from sultan to sultan. While the first five sultans shifted patronage to Islamic institutions and advisors, the administrative structure of the Sultanate remained much as it had been before the Sultanate was established and non-Muslim institutions continued to receive patronage, albeit to a lesser degree. However, during the reign of Sultan Qutb-ud-din (r. 1373–89), the eminent Kubrawi Sufi master and saint, Sayyid'Ali Hamadani, arrived in Kashmir with a considerable retinue of disciples and their families. Quickly ascending to positions of high rank in the court, Hamadani, his disciplines and the Kubrawi Sufi Order became the predominant religious authorities in Kashmir, so much so that Qutb-ud-din's son and successor, Sikandar (r. 1389–1413), implemented some of the most extreme, if not zealous, religious policies, earning him the epithet 'Butshikan', the iconoclast.

It was not until his son, Zain al-'Abidin, ascended to the throne in 1420 that these oppressive policies were reversed, ushering in a new era of mutual Hindu-Muslim patronage during the 50 years of his rule, the longest rule of any Kashmiri Sultan. Not only was patronage, religious and otherwise, increased and broadened during Sultan Zain al-'Abidin's reign, rule over Kashmir was consolidated under

his central court, which involved a political restructuring of the state into a centralized hierarchy, a process that would continue up to the Mughal Emperor Akbar's conquest of Kashmir in 1586 (Accardi, 2014; Hasan, 1959).

It was under these circumstances that Lal Ded and Nund Rishi lived and established themselves as revered religious figures. Centuries earlier, Kashmir was a prime center of Buddhist institutions. However, Buddhism was slowly eclipsed from the ninth to the eleventh centuries by the rise of Shaiva and Shakta sects; it remained prominent only in Ladakh and other mountainous areas of Kashmir adjacent to Tibet. The plethora of Shaiva and Shakta sects that proliferated in late-medieval Kashmir eventually came to be known as Kashmir Shaivism; however, this unification of diverse traditions into a monolithic one seems to be a rather recent reconfiguration. While the late-medieval polymath Abhinavagupta (c. 950–1020) attempted to synthesize these various sects into one Trika Shaiva religious system, different Shaiva and Shakta sects continued to exist independently from the time of Abhinavagupta until centuries after Lal Ded and Nund Rishi (Hanneder, 2001; Sanderson, 2007).

With the establishment of the Kashmiri Sultanate in the fourteenth century, Muslim institutions, especially Sufi orders, played an increasingly influential role in Kashmiri political and social life. While Kashmir had already been home to a sizeable Muslim population for centuries prior (Sikand, 2000, 363), it is after the arrival of 'Ali Hamadani during the reign of Sultan Qutb-ud-din (r. 1373–89) that Muslims increasingly attained prominent positions in the Sultanate court. Although the Rishi Order of Sufis appears to have been quite influential in Kashmiri society in general, leaders of the Kubrawi Sufi Order in particular secured the most high ranking positions in court, forging a close alliance between the Kubrawi Order and the Sultanate court. While two branches of the Kubrawi Order persisted in Kashmir,⁴ the Kubrawi-descended Nurbakhshi Sufi Order that emerged in Central Asia would eventually have a monumental impact on Kashmir. Named after the epithet of the messianic Muhammad ibn 'Abd-allah 'Nurbakhsh', the Nurbakhshi Sufi Order not only adopted a number of Shi'i ideas and practices, but also actively fought against the other branches of the Kubrawi Order in Kashmir, as Nurbakhshi followers declared themselves the only legitimate heirs of 'Ali Hamadani.

In the sixteenth century, the Nurbakhshi missionary Shams al-Din 'Araqi⁵ arrived in Kashmir and quickly rose to prominence. Allying with a number of elite noble families, 'Araqi and the Nurbakhshi Order came to be associated with the Chak dynasty that deposed the Shah Miri Sultans in 1561. Also in the early

sixteenth century, the Suhrawardi Sufi master Saiyid Jamal al-Din Bukhari initiated Hamza Makhdum (1494–1576), scion of the Raina family of Kashmiri nobles, into the Suhrawardi Sufi Order (Rafiqi, 2003, 25). Establishing his resting house (*khanqah*) and mosque between the royal court and graveyard on Koh-i Maran Hill in central Srinagar, Sheikh Hamza and the Suhrawardi Order immediately reshaped both religious and political scenes. They brought together all prominent non-Nurbakhshi religious groups under their leadership and galvanized all those opposed to the Nurbakhshi-Chak faction into their own unified faction competing for the throne and dominance in Kashmir. Subsequent conflicts between these two factions escalated such that the anti-Nurbakhshi faction sought aid from the Mughal Emperor Akbar in the 1580s. However, Akbar took this request as an opportunity to conquer Kashmir and annex it to the Mughal Empire, which he successfully accomplished in 1586.

The sources

Describing these historical changes after the fourteenth century in Kashmir provides the context within which to analyse the earliest written sources on these saints, the majority of which were produced in the late sixteenth and early seventeenth centuries. Since neither Lal Ded nor Nund Rishi wrote for themselves and the oral traditions about them cannot be reliably dated and authenticated, it is impossible to say who these saints were in the past and are in the present in isolation from the people and texts that memorialize them. Furthermore, since most later accounts memorializing these saints are built upon these earliest written sources, closely analyzing these earliest texts is imperative.

The earliest archival source to mention either of these saints is the 1579 *Tarikh-i-Sayyid Ali* (‘Ali, 2009),⁶ which exemplifies the factionalism of its time. A Sufi of the ‘Hamadaniyya’ branch of the Kubrawi Order, Sayyid‘Ali wrote the first half of this history of the Kashmiri Sultanate chronologically according to the reign of each sultan, yet the content of this chronicle is primarily composed of narratives of the actions of Kubrawi saints during those sultans’ reigns. Perhaps more surprisingly, the second half is a thorough rendering of all the discipleship lineages of the Rishi Order of Sufis, complete with narratives of each saint therein. Towards the end of the first half, Sayyid‘Ali seems to indicate his primary reason for writing this text: the Nurbakhshis had taken over the administration of ‘Ali Hamadani’s shrine, which had been previously granted to Sayyid‘Ali’s father, and Sayyid‘Ali wanted the court to return that administration to him and his branch of the Kubrawi Order, which he claimed were Hamadani’s only legitimate heirs (61–67). The second

half of the text begins with accounts of Nund Rishi's miracles and praises of him by Muhammad Hamadani, 'Ali Hamadani's son. Since Muhammad Hamadani is the figure that marks the split between Sayyid 'Ali's Kubrawi lineage and that of the Nurbakhshis, this second half of the *Tarikh-i-Sayyed Ali* that eulogizes the Rishi Sufis reflects the multi-religious alliance of the anti-Nurbakhshi faction. Moreover, Sayyid 'Ali's deployment of the miraculous legacies and popular reverence towards Nund Rishi and the Rishi Order of Sufis serves to legitimize Muhammad Hamadani as the only righteous heir to 'Ali Hamadani's sainthood.

Most of the earliest hagiographical sources on Lal Ded and Nund Rishi were, however, written by the Suhrawardi Sufi disciples of Sheikh Hamza Makhdum. As mentioned earlier, Hamza was born into the Raina noble family, which granted him and his disciples privileged access to the royal court. This privilege certainly extended to Muhammad 'Ali Raina, Hamza's brother and one of his chief disciples. In 1587, Raina wrote *Tazkirat al-'Arifin* 'to glorify the mystical achievements of his preceptor and brother Sheikh Hamza' (Rafiqi, 2003, 319). What is possibly more significant in terms of historical research is the text's inclusion of Raina and his co-disciples, most especially Hamza's close companion Hardi Rishi and those associated with his Rishi Order of Sufis. Since Nund Rishi was the founder of the Rishi Order of Sufis and Lal Ded was already closely connected with Nund Rishi, the *Tazkirat al-'Arifin* contains the earliest known written accounts of Lal Ded (Raina, 1587, 36a–42a). These accounts depict Lal Ded as an elite ascetic and mystic capable of assessing others' spiritual rank, directly engaging the greatest masters of her time as an equal,⁷ and passing on the most powerful spiritual teachings, practices and techniques to those with the greatest potential for high advancement.

The most prolific of the Suhrawardi Sufi disciples of Sheikh Hamza Makhdum was Daud Khaki. In addition to his connections to the Kashmiri court through Hamza, Khaki was born into the Gana'i family that served as scribes for the royal court. After completing his education, he served as a tutor for the royal family, but he eventually left that position to focus his attention on devotion and service to Sheikh Hamza. It is during this last period of his life in spiritual service to Sheikh Hamza that Daud took up the pen name 'Khaki,' or 'dust.' Daud Khaki's *Qasidah Lamiyah*, *Rishi Namah* and *Qasidah Ghusuliya Yusuf Shahi* provide some of the earliest and most thorough accounts of the Rishi Sufis. Moreover, it is Khaki's later disciples who composed most of the other canonical hagiographies of the Rishis, most importantly Nasib al-Din Ghazi's *Rishi Namah* (1631) and Daud Mishkati's *Asrar al-Abrar* (1653). These Suhrawardi hagiographies of Nund Rishi

and his Rishi Sufis depict them as celibate, vegetarian, minimally clothed, bathing in icy mountain springs and nearly constantly engaged in acts of devotion in their solitary retreats in caves or near rivers in the mountains. Moreover, the Rishis are praised for their mystical vision, miracles and for being Uwaisis, i.e., having been educated, trained and guided by the spirits of prophets, saints and other beings from hidden spiritual realms.

Finally, in addition to these hagiographies, early-seventeenth-century histories written both in and outside Kashmir discuss Lal Ded and Nund Rishi. The *Baharistan-i-Shahi* (Pandit, 1991) and Haider Malik Chadurah's *Tarikh-i-Kashmir* (1991) were written in Kashmir in 1614 and 1620, respectively, and both incorporate old and new narratives of Nund Rishi and other Rishi, Suhrawardi and Kubrawi Sufi saints into their histories. However, unlike *Tarikh-i-Sayyed Ali* and the Suhrawardi hagiographies, these two sources are sympathetic towards, and indeed almost glorify, the Nurbakhshi faction that competed for the Kashmir throne in the late sixteenth century. As for non-Kashmiri histories, Abul Fazl ibn Mubarak's 1590 *Ain-i Akbari* (1927) and Abd al-Qadir Badauni's 1595 *Muntakhab ut-Tawarikh* (1884) were written in the Mughal court and contain accounts of prominent religious institutions and figures of Kashmir in their surveys of the Mughal Empire. That both these Mughal documents mention the relatively small and local Rishi Order of Sufis indicates its prominence in Kashmiri society and culture at the time.

These vastly differing sources incorporate narratives of Lal Ded, Nund Rishi and the other Kashmiri mystics and saints to serve divergent aims. However, taken together, these sources serve to deepen the connections between these mystic saints and Kashmir's land and people. As a result, Lal Ded and Nund Rishi are to this day considered of central importance to Kashmiri life and culture.

Embedding the mystics into Kashmir

One can fairly easily deduce why and how Lal Ded and Nund Rishi speak to the difficulties Kashmiris face today. Torn between India and Pakistan, Kashmiris look to figures from the Kashmiri Sultanate for inspiration, since that period represents the last time Kashmiris ruled themselves and when Kashmiri culture was formed and given expression free from external domination. Moreover, Lal Ded and Nund Rishi were saints who spoke kindly and passionately in common Kashmiri to everyday people and allied with the downtrodden in opposition to illegitimate authorities. They were models of honour, virtue and strength in the face of oppression. They not only survived repression but thrived in the face of it.

While these interpretations of Lal Ded's and Nund Rishi's legacies resonate deeply with the current Kashmiri struggle and are potent for social action, I contend that the prominent position of Lal Ded and Nund Rishi in Kashmiri life and culture is a result of longer and deeper processes rather than a mere symbolic juxtaposition of struggles past and present. I argue that the ways in which these saints and Kashmir are linked in the histories and hagiographies composed generation after generation, in conjunction with the repeated layering of memorializations over the centuries and the collective gathering, celebration and retelling of their stories at Sufi shrines and other holy sites across Kashmir year after year, have written these saints into the Kashmiri landscape. These processes have embedded them, their miraculous and mystical powers, and their lives and their legacies into the very definition of Kashmir.

A key part of this process is the convention of Kashmiri writers to explicitly rely upon and reference previous writings from and about Kashmir. As Chitralekha Zutshi highlights in *Kashmir's Contested Pasts*, '[T]he long, vibrant, and textured historical tradition in Kashmir ... narrated the idea of Kashmir in tandem with the ideas of history and history-writing' (2014, 2). In other words, Kashmiri writers evince an historical imagination in which the idea of Kashmir extends deep into the past, incorporating the breadth of previous narratives about Kashmir, whether in Sanskrit, Persian, Kashmiri, or Urdu. Just as the extolling of ancient Persian kings in Ferdowsi's *Shahnameh* indicates a deeper understanding of Persia and its rule beyond the religious and political affiliations of its current ruler, early-modern and modern Kashmiri historians and hagiographers writing in Persian nearly unanimously refer to accounts in Kalhana's *Rajatarangini* and other Sanskrit texts as valid sources of knowledge about Kashmir, its landscape, its past and its inhabitants, both physical and spiritual. Furthermore, historical writings in the past and present are understood as articulating particular constellations of connections between certain figures and Kashmir's past, its landscape and its inhabitants, which inform the present world and future narratives.

Daud Khaki provides multiple, extended narratives connecting the Rishi Sufis to the powerful hidden spirits of Kashmir. In these narratives, Khaki relies upon past, non-Muslim accounts⁸ to attest to the existence of these spiritual beings rooted in the Kashmiri landscape, implying that the Rishi Sufis, beginning with Nund Rishi, are linked to, and continuous with, those spiritual beings in the past. One of these accounts describes how the springs and rivers located in the mountainous areas of Kashmir are in fact alive, the spirits of these waters comprising whole societies of families, clans and hierarchical ranks that wield

immense miraculous powers. These spirits have the ability to fabricate and inhabit facsimile bodies (*tamsilan*), imperceptible to most people, by which they can travel to places and interact with those not in immediate contact with their physical waters. These nature spirits are also devout beings who worship according to their own capacity and use their miraculous, even wish-fulfilling, powers to aid the pious and punish the wicked. Khaki then states that these hidden beings can and have been perceived by advanced mystics and that these spirits even desire to be taught and become disciples of the most elite mystic saints, which is confirmed by many authoritative sources including 'Ali Hamadani's *Khulasat al-Manaqib*. This account then concludes with Khaki recounting his own accidental, serendipitous encounter with one of these beings. While half asleep during a group recitation of the *Aurad-i Fatiha*, Khaki saw a child sitting at Hardi Rishi's knee who suddenly disappeared. Khaki asked Hardi Rishi about the child, whom Hardi Rishi then identified as 'an offspring from the tribe of the spring of Pahroo whom they sent in my companionship for instruction' (1580c, 93–96).

Previous, non-Muslim accounts of Kashmir and its spiritual inhabitants are clearly known, referenced and affirmed by Khaki in this narrative, extending the power of the saints illustrated in these accounts deeper into Kashmir's past and into the constitution of Kashmir itself. Furthermore, Khaki concludes this account with an argument in which Sufi mystic saints validate the religious lives and practices of pre-Islamic Kashmir. Beginning with a quotation from 'Ali Hamadani's *Khulasat al-Manaqib*, Khaki states:

'When a believer of mystical vision who has sincere speech and sincere mystical vision becomes experienced in the other world and gives news of that world, this speaking is not adversarial nor contrary to the book [the *Qur'an*] and tradition.' Therefore, [Hardi Rishi's] verifying and speaking about that which is not readily perceived is acceptable, and corroborates the famous reports of storytellers, soothsayers, and astrologers. ... When the sayings of some soothsayers are seen as useful to their own prayers, theologians of Islam also recall them in the midst of a miracle to confirm their point. For example, it is mentioned in the *Qasidah al-Burdah*, 'After the substantiation of the report of the soothsayer, their faith is shown to be not corrupt.' In the *Ma'arij al-Nubuwwat* are reported items from this category, meaning miracles that confirm that which is said among the reports of soothsayers (1580c, 95–96).

Khaki subtly argues that since divinely-guided saints confirm the existence of

Kashmir's spiritual inhabitants through their miracles, the faith of those past and present who have revered these beings is 'shown to be not corrupt' and is therefore also affirmed and validated. Thus, Kashmir's people and its past are sanctified and brought within the purview of a deep Islamic history.

The almost casual intimacy between these ascetic mystic saints and the hidden spiritual beings inhabiting the surrounding Kashmiri landscape renders the shrines of mystic saints and their attendants into vital spiritual and political resources. Khaki notes that these immensely powerful beings are fond of pious ascetic saints like Hardi Rishi, seek instruction, prayer and advice from them, and grant them 'wish-fulfilling grace' and other favours, while they 'inflict injury and misfortune' on those they despise. Since saints continue to communicate and utilize their spiritual powers on behalf of devotees even after they are entombed, those who administer, visit, or otherwise gain the favour of the entombed saint can potentially tap into the power of these hidden beings. It is therefore not surprising that the tombs and shrines of the Rishis and other mystics and saints attracted the attention of rulers, leading to the close alignment between nobles and the religious groups claiming to be the sole intermediaries between this world and the world of divine beings.

I have elsewhere demonstrated that asceticism, sainthood and religious and political authority were deeply intertwined in the writings of Daud Khaki and other historians and hagiographers of early-modern Kashmir, and this discursive formation played a central role in the development of the early modern state (Accardi, 2014). A central part of this dynamic was that asceticism was seen as a principal means by which one achieved nearness to God and gained a number of mystical and miraculous powers, especially the ability to perceive hidden spiritual realms and interact with the beings that inhabited them. For instance, Khaki provides the following description of Hardi Rishi:

[He was one] endowed with mystical vision and miraculous powers as well as good disposition; / his soul had been the manifestation of the gentleness (*lutf*) and beauty (*jamal*) of the essence of God.
// The mystical vision of his was [of] the spirits of man, jinn, and angel, / as well as the spirits of the springs and the spirits of the mountains (1580b, 14a).

Saints, especially ascetic ones, were thus made the key arbiters between those chiefly confined to the physical world, e.g., kings, and powerful hidden beings of the spiritual realms whose powers extended into the physical realm. Perhaps no saints of Kashmir have been more ascetic than Lal Ded and Nund Rishi.

Mystic saints being such arbiters between overlapping spiritual and physical worlds becomes even more significant when a multitude of sites across the Kashmiri landscape are said to have particularly potent, spiritual counterparts, e.g., extending into heavenly realms or being the residence of exceptionally powerful spiritual beings. For instance, referencing the well-known story of the angel Gabriel bringing down water flowing from the fountains of Paradise to form the great rivers of the Earth, Khaki describes the miraculous nature of many of the springs, fountains, rivers, mountains and other natural features of Kashmir as parallel in significance (1580a, 9b–11b). Angels inhabit many of Kashmir's rivers, 'hidden ones' inhabit Lank island in Wular Lake, 'Foot of the Mountain' (*Pa-paharan*) Spring washes away sins and a 'wondrous people' (*'ajab qaumi*) appear underneath Blue Spring (*chashma nila*).

When devotions are performed on Kashmir's mountaintops, Khaki continues, those mountains will bear witness to one's piety on Judgement Day. After a mystic saint leaves a location in which *zikr* and prayer were performed, the land complains and laments from the grief of separation and yearning for him. Finally, if someone loudly recites the true names of God on Kashmir's mountains and plains, one's sins will be forgiven as long as the plants there live. Khaki then concludes this account by directly comparing Kashmir to the Levant, the land of the Prophet:

The blessed region of Kashmir is like the land of the Levant, laden with fruit and an abundance of trees and rivers and mountains. It first became inhabited by the Prophet Sulaiman; the genies there made a garden full of rivers for his sake. A place of worship, an abode of 'the hidden people', and a dwelling of *jinn* and angel – to the saints, they all become clear in image and form (1580a, 11b).

Such detailed descriptions of miraculous places not only mark Kashmir as a land connecting heaven and earth, but also indicate that the mystic saints of Kashmir (and the shrines built for them) are the nodes by which one interfaces with these marvels.

The accounts such as those cited here are intended to demonstrate that mystic saints are the access points to the world of hidden beings and miraculous powers embedded in the Kashmiri landscape; however, one must not obscure the role and agency of the historian and hagiographer. As much as these writers attempt to elide themselves and cast their narratives as transparently reporting and relaying the truth, they are active participants in shaping and constructing the world they describe, establishing the links between the people, beings, places and powers

contained therein. Through the dissemination of their texts, via recitation in successive courts and at shrines and the reincorporation of their writings in future compositions, they narrate those relations into reality and, in the process, write the saints into the landscape.

For such a task to be successful, no one narrative can stand alone. The links Khaki forged between Kashmir, its spiritual landscape and its saints, especially Nund Rishi and other Rishi Sufis, are reinforced by a multitude of other narratives written in his own time and later. Such corroboration is perhaps best exemplified by Raina's accounts of Lal Ded in his *Tazkirat al-'Arifin*. In one story, she consults the stars of Sheikh Hamza Makhdum's future birth atop a mountain near Tijr so that she is assured to be among the spirits of the prophets and saints of Kashmir to visit him on that day (1587; 37b, 39a). In another story in the same text, Lal Ded, long after her death, visits Raina himself in his nearly inaccessible, isolated mountain retreat in order to give him powerful spiritual instructions that result in exceptional mystical attainments (40a–41b). Yet another account in the same text describes a tiger who, upon seeing Lal Ded, abandons his plan to attack a herd and prostrates before her. In response, Lal Ded declares the tiger to be a pious renouncer (*majzub*) who would be so immersed in God that he would no longer crave beasts of prey, which instantly becomes true. The forest then becomes famous for its tiger that shepherded any beasts of prey that entered its boundaries (37b–38a).

Taking into consideration the understanding of saints as intermediaries for the hidden spiritual landscape of Kashmir, these accounts cast Lal Ded as both saintly intermediary and one of the powerful hidden spirits of Kashmir. With her ability to command power over the wild tiger, Lal Ded is identified as one who wields control over the inhabitants of the surrounding Kashmiri landscape. Furthermore, depicting Lal Ded in a way that resembles other powerful female ascetics who are found in the wilds of Kashmir and exercise great control over natural, spiritual and political worlds – as seen in Kalhana's *Rajatarangini* and other Sanskrit texts – Lal Ded is made to represent both pre-Islamic and non-Muslim Kashmir. Kashmir's pre-Islamic traditions are thus affirmed and validated through her miraculous encounters with Sufi saints and are incorporated as valid within new Islamic contexts and narratives of Kashmir. Moreover, by positioning Lal Ded as a representative of pre-Islamic and non-Muslim Kashmir, and yet also a transmitter of Sufi teachings in isolated retreats of Kashmir, these narratives embed Lal Ded herself and the saints she taught into specific sites on the Kashmiri terrain. Such sophisticated narration

had the effect of linking the saints to Kashmir's spiritual inhabitants and, as a result, naturalized the saints as integral parts of Kashmir's geographical milieu.

Conclusion

This process of interweaving saints, the landscape of Kashmir, its inhabitants, and legitimate religious and political authority repeats in every subsequent hagiographical and historical narrative over the centuries. Incorporating and reshaping previous narratives with each new iteration, each historian and hagiographer constellates and articulates these elements in new ways to serve the aims of their times. Half of Sayyid'Ali's 1579 eponymous *Tarikh-i-Sayyed Ali* interweaves the actions of Kubrawi saints and the Sultans of Kashmir, and the second half incorporates the miraculous actions and sacred locations of the Rishi Sufis into this narrative ('Ali, 2009). Daud Khaki and Muhammad 'Ali Raina's companions and disciples, Haidar Tulmuli (1588), Nasib al-Din Ghazi (1631) and Daud Mishkati (1653), as well as Haider Malik Chadurah (1991) and the unknown author of the *Baharistan-i-Shahi* (Pandit, 1991), incorporate old and new narratives of Lal Ded, Nund Rishi and other Rishi, Suhrawardi and Kubrawi Sufi saints into their Persian histories and hagiographies of Kashmir to shape Kashmir and Kashmiri identity anew under Mughal rule. Amidst the transition from Mughal to Afghan Durrani rule over Kashmir in the mid-eighteenth century, further histories and hagiographies were produced to redefine Kashmir and its pasts to serve the changing context. This period included Rajanaka Bhaskara's Sanskrit translation of poetry attributed to Lal Ded (Bhaskara, n.d.), which reframed Lal Ded as a saint in line with Bhaskara's own Shaiva Brahmanical theological disposition and temple practices without any relation to Muslims, Sufi or otherwise.

This iterative process then continued through the centuries, and the numerous histories and hagiographies produced in Kashmir have been addressed well in Abdul Qaiyum Rafiqi's *Sufism in Kashmir* (2003), Mohammad Ishaq Khan's *Kashmir's Transition to Islam* (2002) and Chitralekha Zutshi's *Kashmir's Contested Pasts* (2014). In fact, memorializing Kashmir's early-modern saints to articulate legitimate religious and political authority continued into the twentieth century and up to this day, including in Orientalists George Grierson and Lionel Barnett's *Lalla-Vakyani* (1920); Mukund Ram Shastri's publication of Bhaskara's Lal Ded verses in the Kashmir Series of Texts and Studies (KSTS) for the Dogra Court (Bhaskara, 1919); Mohammad Iqbal's *Javid Nama* (1932); Sheikh Mohammad Abdullah's autobiography *Aatish-i Chinar* (1986); Pakistan President Muhammad Zia-ul-Haq's Presidential Address at the Shah-e-Hamadan International

Conference (Hamadani and Riaz, 1988); and the ongoing deployment of Lal Ded and Nund Rishi by advocates of *Kashmiriyat*.

All the while, from the sixteenth century to the present, the writing and rewriting of these texts is accompanied by the training of new disciples and religious leaders; the annual cycles of celebrations and memorializations at shrines, temples and mosques; cultural festivals and *mushairas* (poetic assemblies); the production of literature; and everyday discourse on Kashmiri life and identity in which accounts of Kashmiri saints are retold and reworked time and again. And thus, while each iteration may be shaped differently to suit each particular context, the cumulative result of these retellings is a weaving of these saints deeper and deeper into the fabric of Kashmir and Kashmiri identity, thus rendering them synonymous with Kashmir itself.

Endnotes

- 1 All translations of the following Persian manuscripts are my own: Daud Khaki's *Dastur Al-Salikin Sharah Wird Al-Muridin*, *Qasidah Ghusuliya Yusuf Shahi*, *Qasidah Lamiyah*, and *Rishi Namah*; and Muhammad 'Ali Raina's *Tazkirat al-Arifin*.
- 2 Some contend that Nund Rishi was in fact a Hindu throughout his life and was only later appropriated by Muslims. However, this is by far a minority opinion and seems connected with Nund Rishi's invocation and reverence for certain non-Muslim religious figures, which will be discussed further.
- 3 I say 'titularly' because it seems apparent that Nund Rishi understood Islamic spiritual and cosmological claims as universally true from the beginning of existence. Thus, there are no non-Muslims, only those who are erroneous in their understanding or consciously reject what is true. However, if one's religious pursuits are effective, then one must have the correct understanding and be practicing what is in line with what is true, and if Islamic spiritual and cosmological claims are true, then one engaging in effective religious pursuits must be a Muslim. This is clearly an understanding of Islam and Muslims that differs greatly from current conventional understandings of 'religious identity' in which an individual affiliates with one among a number of mutually exclusive religious communities with distinct cosmologies, beliefs, practices, worldviews, etc., to be considered separately and in their own right.
- 4 Two branches continued to preach in Kashmir in the name of the Kubrawi Order: those descended through 'Ali Hamadani's son, Muhammad Hamadani (at times designated the 'Hamadaniyya') and those descended through a Central Asian lineage to the sixteenth-century Kashmiri mystic poet, Sheikh Ya'qub Sarfi (at times designated the 'Ya'qubiyya'). Ya'qub Sarfi received his initiation into the Kubrawi Order in Central Asia at the hands of Husain Khwarizmi, who descended from 'Ali Hamadani through Khwaja Ishaq Khatlani and Abd-allah Barzishabadi (Trimingham, 1998, 55–58). However, since the 'Ya'qubiyya' formed a close alliance with the aforementioned 'Hamadaniyya,' these separate lines of descent at times become indistinguishable in Kashmir.

- 5 This name has also been rendered Araki, Araqi, Iraqi, 'Iraqi. Manuscripts are inconsistent in its spelling, and scholars currently debate which region this name references.
- 6 Some earlier sources mention a prominent Nur al-Din in the early fifteenth century as well as a mysterious, naked female ascetic (*yogini*) encountering Sultan Shihab al-Din in the mid-fourteenth century. However, there were a fair number of prominent people named Nur al-Din in the fifteenth century, and the lack of any other details identifying that Nur al-Din with the ascetic founder of the Rishi Order of Sufis makes it unlikely that Nund Rishi is the figure mentioned. Likewise, descriptions of this *yogini* lack any details to associate her with Lal Ded. Identifying this *yogini* with Lal Ded only occurs after Daud Mishkati's 1653 *Asrar al-Abrar*, after two centuries and at least four retellings of this story without Lal Ded being included.
- 7 'The Second Rabi'a and Second Maryam of this place [Kashmir], Hazrat Bibi Lallamaji – the mercy of God be upon her – was a naked woman who in the end did not have an equal among the noteworthy men of the Sufi path in her own time and was the Sufi master of the Axis of Axes Hazrat Sheikh Nur al-Din [Nund Rishi] - may his grave be hallowed' (Raina, 1587, 41a–b).
- 8 Khaki identifies these sources as the 'histories and stories of the wise monks and astrologers of Kashmir,' and states, 'This subject on the tongues of the storytellers of Kashmir is common and well known to most commoners and distinguished people of this land' (1580c, 93–94).

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Producing Paradise

Kashmir's Shawl Economy, the Quest for Authenticity and the Politics of Representation in Europe, c. 1770–1870

Vanessa Chishti

Introduction

From the late eighteenth to the late nineteenth century, the shawl was Kashmir's principal export commodity and its most celebrated material representation to the outside world. Acknowledged by Walter Benjamin as the 'essential hot commodity' of the first half of the nineteenth century and known simply as a 'Cashmere', the shawl was the object of insatiable desire in Europe; so widespread was this desire that Benjamin characterized it as the 'disease' of 'Cashmere Fever' (Benjamin, cited in Hiner, 2005, 76). In the late nineteenth century, demand for and production of shawls declined precipitously. Today, over a century later, despite its diminished economic significance, the shawl remains Kashmir's most iconic commodity – a metonym for the Valley, embodying a quintessentially Kashmiri quality. The Kashmir shawl, I argue, acquired much of this symbolic density in its entanglement with the status politics of European elites and their quest for authenticity in the nineteenth century. This entanglement has had an abiding impact on representations of Kashmir, its people and their material productions.

As Pierre Bourdieu notes, consumption is instrumental in the assertion and reproduction of social hierarchy, and distinctive patterns of consumption serve to distinguish various social classes (2014). In mass societies that are characterized by anonymity, 'conspicuous consumption' becomes the key to communicating as well as constituting status (Veblen, 1927). Nineteenth-century Britain was witness to an unprecedented rise in levels of consumption among even the 'lower' classes, a development historians have described as a consumer revolution (McKendrick, Brewer and Plumb, 1985). This had important consequences for the meaning of

objects – as access to commodities was democratized, they became common and therefore less potent as markers of status.

In such situations, the maintenance of social distinction calls for novel modes of consumption, or altogether new objects (Bourdieu, 2014, 227). In the pursuit of novelty, elites in industrial societies seek out objects that are extraneous to their own space and time, which therefore appear to be culturally remote (Baudrillard, 2008, 77–79; Graburn, 1976, 19). Such ‘marginal objects’, like antiques or exotic commodities, fall outside the system of modern objects and are valued not for any strictly functional imperatives, but for their symbolic value (Baudrillard, 2008, 77–79). In nineteenth-century Britain, the Kashmir shawl served as a powerful marker of distinction. In addition to its immense cost and difficulty of acquisition, a ‘Cashmere’ was valuable for its ability to signify a prelapsarian time outside, or even prior to, capitalist modernity.

The allure of the shawl was, and often still is, attributed to its material qualities. While the unique materiality of the shawl was certainly central to its appeal, its constitution as an authentic object involved a set of culturally specific judgments on the part of consumers – what Bourdieu has called the ‘labour of appropriation’ (2014, 94). While all consumption is a creative act in this sense, nineteenth-century European consumers were distinguished by a peculiar fascination with alterity. The authenticity and desirability of the shawl was ineluctably linked to its ability to signify difference, which was premised on frequent references to its ‘oriental’ antecedents. The shawl’s *biography*, therefore, was as important as the shawl itself, and information about its trajectory outside Europe was avidly sought, circulated and consumed (Zutshi, 2009). Further, if Kashmir and Kashmiris were ‘consumed’ in the process of signification involved in shawl consumption, they were also discursively ‘produced’ as the other of industrial society. Kashmir was represented as an Arcadian paradise, untouched by modernity, while the shawl was represented as a non-commodity.

This chapter is divided into three sections. The first section traces the simultaneous production of desire for Kashmir as a place and for Kashmir shawls as non-commodities. Section two explores how the politics of authenticity prompted the articulation of a discourse of ‘irreducible difference’ about Kashmir, its people and their material productions. The third section discusses how the growing colonial influence over Kashmir and changes brought about in shawl production by the soaring European demand, destabilized representations of Kashmir as an isolated paradise and the shawl as an immutable traditional object, eventually leading it to fall out of favour with elite European consumers.

Producing desire: Kashmir and its shawls

I would like to inform the British public ... of facts ... of which it seems to be ignorant ... that there really is a beautiful country, called Cashmere, situated in Asia; and that Cashmere is not a mere name distinguishing a peculiar kind of shawl (Brinckman, 1868, 12).

Attempting to draw the attention of his compatriots to 'Cashmere', a place on the very furthest reaches of the British Empire, Arthur Brinckman could not possibly have chosen a more evocative signifier than the shawl. Determined to expose Dogra misrule and the complicity of the colonial government, Brinckman, an Anglican missionary active in late-nineteenth-century Kashmir, continued:

Because Tom Moore wrote a poem and mentions Cashmere in it, are we to think its existence only a myth? Ladies all know of it by its shawls, shopkeepers call their fine flannels by its name, yet we quietly shut our eyes to all the ruin we ourselves allow to exist there (1868, 12).

Chastising his readers for their purported ignorance, Brinckman knowingly gestured towards their keen awareness of Kashmir, ensured in no small measure by Thomas Moore's famous poem, *Lalla Rookh*. As the quote indicates, shawls played a pivotal role in mediating this awareness. The easy conflation of 'Cashmere' the place with the eponymous garment, found so often in nineteenth-century European accounts, points not only to the webs of signification that linked their desirability, but also to the fact that Kashmir itself was imagined through the shawl.

Although shawls were popular in Europe by the late eighteenth century, texts about Kashmir were neither extensively produced nor widely circulated until the early nineteenth century. From the mid-nineteenth century onwards, textual and visual representations of Kashmir for and by Europeans proliferated, and a considerable 'symbolic capital' accrued to the Valley, making it the object of intense desire (Kabir, 2009, 4). European observers, many of whom were travellers, and mostly, although not exclusively, British, wrote extensively about Kashmir. They produced a 'stockpile of representations' (Greenblatt, 1991, 6), which continue today to generate images of the place and its people. Drawing on earlier traditions of representing the Valley as an exceptional landscape,¹ these accounts were instrumental in producing desire for Kashmir and Kashmir shawls, and in linking the two inextricably. In nineteenth-century European representations, the shawl was inscribed into Kashmir's enchanted geography and invested with an ability to not only signify, but also to stand in for Kashmir.

In the late sixteenth century, the Mughal Emperor Akbar invited the Jesuit missionaries who were visiting his court to travel to Kashmir with him, making them the first Europeans to do so. An account based on their letters, first published in French in 1610 and translated into English in 1926, declared Kashmir the most beautiful place in the East – a declaration likely influenced by Akbar's own legendary affinity for Kashmir (Du Jarric, 1926, 75). A much better-known account is that of Francois Bernier, a French physician and philosopher who travelled to Kashmir in 1664–65 with Mughal emperor Aurangzeb's camp. In his letters, Bernier confirmed the rumour of Kashmir's beauty and the favour that it held with the Mughal emperors. Echoing Mughal emperor Jahangir, he described Kashmir as a peerless 'terrestrial paradise' (Bernier, 1826, 401). The next known European visitor was George Forster, an employee of the English East India Company, who entered Kashmir disguised as a shawl merchant in the late eighteenth century. In an otherwise unsentimental record of political and commercial intelligence, Forster too rapturously described Kashmir as an exceptional landscape – a 'province of fairy land' (Forster, 1798, Vol. 2, 4).

The place of Kashmir in the symbolic universe of Empire was firmly cemented with the publication of Thomas Moore's *Lalla Rookh* in 1817. When Moore famously asked 'who has not heard of the Vale of Cashmere?', he in fact ensured that many did.² Probably the most influential English-language literary work on Kashmir, *Lalla Rookh*, sold over 83,000 copies and ran into 55 editions until the publisher's copyright expired in 1850 (Keenan, 1991, 60). While Moore, who never visited Kashmir, depended on the writings of Bernier and Forster, he himself became an inevitable reference point for future travelers to Kashmir. Samuel Bourne, who along with John Burke, took the first photographs of Kashmir, acknowledged Moore's influence on their work (Kabir, 2009, 55–56). In this context, it is useful to recall Edward Said's comment on the citational nature of orientalist discourse:

The Orient is less a place than a *topos*, a set of references, a congeries of characteristics, that seems to have its origin in a quotation, or a fragment of a text, or a citation from someone's work on the Orient, or some bit of previous imagining, or an amalgam of all these (2003, 177).

By the mid-nineteenth century, when Kashmir came under the suzerainty of the East India Company, it already had a distinct place in the imperial imagination. The Valley was widely thought of as an earthly paradise. Despite

the new Maharaja's sworn loyalty, however, the Company's influence in the Valley as well as surrounding areas was notional – especially since it strategically avoided a direct presence in the region (Chishti, 2016). Even after the colonial state directly intervened in Jammu and Kashmir in the late nineteenth century, colonial control over the state remained limited. Europeans, for instance, could not own immovable property or live in Kashmir around the year (Crawford, 1884, 63–64). Even as late as 1898, the number of European visitors to Kashmir just exceeded 2,000. In this respect, the perceived inaccessibility of Kashmir contrasted markedly with British India; long under the sway of colonial rule, the latter was no longer a region of romance – purportedly offering little more than the hackneyed pursuits of 'tiger-hunting and Mulligatani' (Vigne, 1842, Vol. II, 65–66). Sheltered from the homogenizing effects of colonial governance, Kashmir continued to be fascinating, offering attractions for, among others, 'the antiquarian, the historian, the architect and the geologist' (Vigne, 1842, Vol. II, 65–66). Authenticity, as Susan Stewart notes, requires radical difference, whether in the form of the antique, the pastoral, or the exotic (1993, 139–45). The Valley of Kashmir was seen as a place that promised an authentic experience on *all three* counts.

In the colonial imagination, Kashmir represented an earlier stage of contemporary civilization – a place where the vexing conventions of modern life ceased to apply, and colonial officials could be schoolboys again 'playing cricket and chasing butterflies' (Young, 1867). It was a place of enchantment where even the mighty Mughal emperors could 'forget the cares of government' (Rennell, 1788, 105). The Viceroy of India, George Curzon, effusively described it as 'that Garden of India ... girdled by the eternal snows, a land where English ladies may travel without escort, and English children may be reared without losing their bloom. ...' (Curzon, 1893). The climate and landscape of Kashmir bore a resemblance to Europe, but unlike Europe, in Kashmir 'Nature' reigned supreme (Butler, 1908). Free of 'the crush of competition, un-deafened by the clatter of machinery', the mountains and forests of Kashmir evoked longings for a pastoral pre-industrial Europe and a lost innocence (Neve, 1999, 45).

The metonymy of place and object found particularly explicit expression in a map shawl, one of a pair commissioned by the Dogra Maharaja Ranbir Singh for presentation to the Prince of Wales. Exhibited at the British Indian section of the Paris Universal Exhibition of 1878, the map shawl found a home in the South Kensington Museum. George Birdwood, a colonial official and prolific commentator on the arts and crafts of the subcontinent, compared the shawl to 'the quaint drawing of a medieval picture ... a photograph' (1880, 367). The

comment of another observer from the early twentieth century indicates the importance of literary representations and tourism to descriptions of this shawl: 'The Jhelum river running through the city, the Dal Lake, and all the celebrated *baghs* and gardens described in "Lalla Rookh" and so well known to the modern tourist' (Barker, 1932).

The search for authenticity is a peculiar concern of industrial societies. From at least the late seventeenth century, Kashmir-style tapestry shawls were manufactured in several places in Persia and Afghanistan, and in various parts of Indian subcontinent (Ames, 2004, 121–22). While Kashmir shawls were unanimously regarded as superior, this was a judgment on their quality; authenticity was not a relevant category. As shawls were incorporated as markers of distinction in Europe, the authentic shawl had to be identified and clearly set apart from others. Stewart has argued that objects can act as material traces of authentic experience, acquiring value through their connection with a particular location (1993, 135). For European consumers, the shawl was a material trace of Kashmir. For those consumers keen to distinguish themselves as discerning, Kashmir shawls became the standard against which all others shawls were measured, including those manufactured in Punjab and Europe (Chaudhuri, 1992, 233).

The authenticity of the shawl derived explicitly from its connection to Kashmir – a connection that was frequently reiterated in European representations. The shawl patterns, and indeed the industry itself, appeared almost as a spontaneous outgrowth of the topography of Kashmir. Birdwood, for instance, described one pattern as 'representing the conventional Persian and Cashmere wilderness of flowers, with birds of the loveliest plumage singing among the bloom, and wonderful animals' (Birdwood, 1880, 367). A visitor wrote, 'The peculiar curves in the river Jhelum ... are said to have given the design for the shawl pattern which is still adhered to as tenaciously as ever' (Collette, 1898, 95). The rich colours of the patterns and the softness of the fabric that were characteristic of the Kashmir shawl and believed to distinguish it from shawls produced elsewhere, were attributed to the unique physical environment of the Valley. The water of Kashmir was believed to have a distinctive quality, necessary for expert dyeing, while the cool climate and the 'pure' air ensured the softness of the fabric (Vigne, 1842, Vol. II, 130). It was as if each physical feature of the place was imbued with a special quality, which became embodied in its products.

The connection between Kashmir and its shawls was not only deepened, but also transformed in European representations. While the shawl was previously an identifier for Kashmir, in the context of nineteenth-century imperial

representations, it came to be seen increasingly as a material embodiment of all that was desirable about the place. Remarking on the apparent incongruence between the poverty of the wretched artisans and the beauty of their product, one writer noted:

Maybe those who labour have but near and far sight, that they can only see the material ... on which they work, and in the distance the glorious shade of Kashmir's lakes, hills, mountains, together with the beauty of her trees, flowers and birds (Gervis, 1954, 159).

The beauty of the Valley, it would seem, was transmogrified into shawls. The shawl did not merely represent Kashmir – it *was* Kashmir.

Producing difference: The political economy of shawl production

We learn ... that they [shawls] even make a part of the dress of the Egyptian Mamlouks: and at present (as if to exhibit the most striking contrast in the classes of wearers) they are worn by the English ladies (Rennell, 1788, 106).

When the site of production and the site of consumption of a commodity are remote from one another, the mystification inherent in market exchange becomes especially pronounced. As Sydney Mintz notes, 'when the makers and the users are as little known to each other as are the process of manufacture and use themselves, the mystery will deepen' (Mintz, 1987, xxiii). This was certainly true of Kashmir's shawl trade with Europe for most of the nineteenth century: a formidable chain of middlemen carried shawl wool to Srinagar, where a dozen specialized artisans worked in a complex production process to produce shawls, which were carried thence to the auction houses of London in the ships of the East India Company, or on overland caravan routes.

William Moorcroft, an official of the East India Company, travelled to Kashmir and Ladakh in the 1820s, and wrote painstakingly detailed reports on, among other things, Kashmir's shawl manufacture and trade. Prior to this, very little reliable information about the shawl industry and trade was available. Much of what was known, even in the late nineteenth century, was believed to be 'hearsay', while consumers awaited more reliable information (*Kashmeer and its Shawls*, 1875, 59). This section explores how and why a partial stock of information, gathered in the context of a long-distance cross-cultural trade, was narrativized into a discourse of irreducible difference.

Amidst a profusion of standardized and easily reproducible objects, handmade

'native' objects are valued for the 'anteriority of their forms or their manufacture', and therefore, the 'allusion they contain to an earlier world' (Baudrillard, 2008, 79). The authenticity of the Turcoman carpet, another native object that has fascinated European consumers, lies in its tribal origin. Crafted by women in a domestic mode of production and not necessarily intended for sale, the Turcoman carpet appears to be 'irreducibly different' from Western commodities and gestures towards a way of life outside capitalist modernity (Spooner, 1986, 222). In marked contrast to the mode of production of Turcoman carpets, Kashmir shawls were commodities produced expressly for exchange (Chishti, 2016); nonetheless, shawls were represented as ancient garments purportedly 'designed for eternity' in the unchanging East (Zutshi, 2009). Clearly, where there was no primordial origin, it could be produced to satisfy the demands of authenticity. As Arindam Dutta notes, 'Had colonial officials found no artisanry in the vast territories under imperial control, it would have been necessary to *invent* some' (2007, 77; emphasis in original).

Much like the Valley itself, the Kashmir shawl was construed as belonging to an earlier time, its putative anteriority embodied in its function and mode of fabrication. As noted above, the trajectory of the shawl from producer to consumer and from raw material to finished project was a subject of immense interest; close attention was paid to how, where and by whom the shawl was produced, and how and by whom it was consumed in the East. The reconstruction of the shawls' biography in colonial accounts showed a clear logic. The appeal of the shawl lay in its capacity to act as a foil to the characteristic forms of industrial society: the mechanization of production, the preponderance of market exchange and the commodity form. Aspects of the shawls' trajectory that furthered its representation as a foil were highlighted, while those that challenged it were obscured. While details of the production process, which emphasized the inimitable handmade characteristics of the shawl, found frequent mention, colonial writers and their audiences remained unable, and perhaps unwilling, to apprehend the economic organization and social context of shawl production. Further, while underplaying the extensive commodity trade in shawls, European descriptions highlighted their royal consumption.

The shawl industry in eighteenth- and nineteenth-century Kashmir was a complex system of commodity production, supported by a sophisticated banking system, closely administered by the state and oriented primarily towards long-distance export (Chishti, 2016). The profitability of the industry and the high quality of its shawls depended equally on a supply of cheap and highly

skilled labour and Kashmir's stringently enforced shawl wool monopoly. The command of labour was ensured by the state through a deft mixture of coercion and incentive. Artisans were offered a subsidized food supply and an exemption from forced labour, while their inter-occupational, intra-occupational and spatial mobility was severely restricted (Chishti, 2009). Kashmir's shawl wool monopoly was immensely profitable to the rulers of Kashmir, Ladakh and Tibet – all avid traders – and a clique of state-appointed merchants. Wars were fought and treaties signed to defend it (Rizvi, 1983, 68–75; Rizvi 1999, 53–57). The dominance of the Kashmir industry was, therefore, ensured through a systematic regional concentration of competitive advantages, established and reproduced through the pro-active exertions of shawl workers, rulers and merchants.

In European accounts, however, the inimitability of Kashmiri shawls was explained with recourse to familiar tropes about the enchanted orient and magical artisans. On the origin of the shawl industry, for instance, one observer wrote: 'The surroundings of Kashmir are so beautiful that it would be surprising if some sort of artistic craftsmanship were not developed here' (Barker, 1932). Others presented Kashmiris as inherently skilled artisans with a peculiar talent for textiles (Birdwood, 1880, 116; Barker, 1932). Their 'nimble and industrious hands' worked the shawl wool with 'singular aptitude' (*Kashmeer and its Shawls*, 1875, 10). Shawl weavers were not only described as being inherently inclined towards textile work, but incapable of performing other kinds of labour (Irwin, 1981, 18).³ This belief in the innate artistic proclivities of Kashmiris continues to hold today.

Kashmir shawls, like other luxury textiles, were indispensable accouterments to rank and status in South Asia; patronized by royalty and nobles, they were used as honorific currency before and during the Mughal period, and in successor states as well (Rehman and Jafri, 2006, 45–69). In early- to mid-nineteenth-century European accounts, written before the fortunes of native princes waned decisively, the Kashmir shawl frequently appears as worn or gifted by rulers and notables throughout Central Asia and North India.⁴ The characterization of shawls as 'mantles of royalty' greatly enhanced their appeal in Europe. Best known as 'kingly things' even today, however, shawls were extensively traded as commodities quite early on.

While the early history of Kashmir's shawl trade is unclear, evidence suggests that shawls circulated in restricted spheres of exchange in the early Mughal period (Rizvi and Ahmad, 2009, 150). Records for the sixteenth and seventeenth centuries are sparse, but Kashmir shawls were certainly the objects of a voluminous

and highly differentiated commodity trade by the early eighteenth century (Ames, 2004, 119–33; Rizvi and Ahmed, 2009, 190–218; Maskiell, 2002, 30–35). The industry was exceedingly responsive to new markets, as designs, colour, quality, materials and techniques were tailored to suit consumer preferences. The ability to supply diverse and stratified markets ensured the vitality of the industry in the face of an unpredictable export demand (Ames, 2010, 69–160; Birdwood, 1880, 366–67). In addition to multiple varieties of shawls, Kashmir produced sashes, turbans, *rumals* (handkerchiefs), gloves, socks, bedding, saddles, tents, floor and wall coverings and dress fabric. Moorcroft lists 84 distinct categories of shawl goods by destination, in which Persia is named 38 times, Turkey 22 times and Afghanistan 26 times (Moorcroft, 1812–1825a). The movement of shawls to these distant markets was supported by a sophisticated system of credit, loans and promissory notes (Moorcroft, Trebeck and Wilson, 1841, Vol. II, 103; Hugel, 1845, 155; Honigberger, 1852, 92). Writing when Europe's Cashmere fever was at its peak, Moorcroft noted:

At this city [Srinagar] I find merchants from Gela and from other cities of Chinese Turkestan, from Uzbek, from Tartary, from Kabul, from Persia, from Turkey, and from the provinces of British India engaged in purchasing and in waiting for the getting up of shawl goods differing as to quality and pattern in conformity to the taste of the markets for which they are intended in a degree probably not suspected in Europe (Moorcroft, 1812–1825b).

The production of and trade in Kashmir shawls was made possible by the circulation of people, capital, ideas and commodities in a 'commodity ecumene' (Appadurai, 1986, 27), which, while centered in the Valley of Kashmir, extended well beyond it. Kashmir was at the cross-roads of dense networks of cultural and economic exchange, of which the shawl industry itself was a product. The design vocabulary and technical repertoire of shawl manufacturers was frequently enriched by inputs from foreign crafts persons, merchants, commissioning agents and royal patrons. For example, the *amlīkar* or embroidered shawl, a cheaper, less labour-intensive alternative to the *kani* or tapestry shawl, was developed by a Kashmiri *rafugar* (embroiderer or fine darner) with the encouragement of an Armenian merchant (Rizvi and Ahmad, 2009, 261–65).

In contrast, European accounts represented the shawl as an oriental non-commodity. Such accounts frequently obscured the role of merchants and markets in the history of the shawl and the commodity nature of the shawl itself. The intricate economic and social interconnections that shaped shawl manufacture

and trade were frequently eclipsed and the development of a fine textile tradition in Kashmir was attributed to 'the tranquil and secluded position' of the Valley, where isolated from outside influence, it developed a quintessentially Kashmiri style (Barker, 1932). The notion of authenticity requires a definite idea of what is considered 'the real thing' (Graburn, 1976, 14), and the authenticity of the shawl was, therefore, premised on the production of a 'pure' Kashmiri tradition, which in turn required a stable, bounded idea of Kashmir.

By the mid-nineteenth century, the rugged adventurers of the explorer were increasingly giving way to the relatively tame exploits of the tourist. European tourists came to be important customers for all kinds of crafts, including shawls. At this time, shawls were far less likely to be acquired as *khillats* or gifts in the royal courts, than to be purchased as commodities from the shawl merchants of Srinagar. The shawl merchants showed a keen understanding of their patrons' desire for oriental spectacle and what might constitute an authentic experience. They carefully created an ambience of Eastern hospitality, by serving lavish teas in lawns overlooking the river Jhelum, for instance. This was presumably intended to obscure the calculative dimension of the interaction. One such visitor wrote, 'After a little preliminary converse, during which tea, grapes, and biscuits are brought in and laid out ... the topic "shawls", by utter chance, as it seems to you, comes on the *tapis*. ...' The shawl merchant he described thus: 'his manners are those of a past age – past, at least for Europe' (Torrens, 1862, 262). Quite like the shawls they sold, the merchants too were quaint figures belonging to another time.

In the dealings between shawl merchants and European customers, it was a common affectation that the economic value of the shawls was incidental to their exquisite beauty. Even the less affluent merchants thronging the tents and houseboats where European visitors lived emphasized the aesthetic merits of their wares over their monetary value. In doing so, they appealed to what they understood of the European desire for authenticity. On being refused, one such merchant told a European visitor:

I do not want you to buy, sir ... Please to quite understand, sir, that
I do not wish to sell. I only ask you to do me the honour of looking at
 some of this excellent workmanship. It will not fail to interest you
 (Knight, 1896, 40-41; emphasis mine).

Although responding to consumer preferences was nothing new for the producers and purveyors of Kashmiri crafts, their efforts to cater to what they thought were European preferences had the paradoxical effect of frustrating the search for authenticity, and eventually, destabilizing colonial representations of Kashmir.

Compromising authenticity

Cashmeereemall has brought me [shawls] ... which are beautiful beyond imagination. ... Why should I provide paltry things for you, when I carry with me inimitables? (Hastings and Grier, 1905, 336).

To send one or more pair of the animals called *tus* which produce the shawl wool. If ... they can be spared from the fatigues and hazards of the way, the expense is to be no objection (Hastings, quoted in Bogle and Manning, 1876, 8).

The colonial engagement with Kashmir was marked by contradictory impulses: the desire to preserve Kashmir as an untainted paradise on the one hand and the desire to bring colonial 'order' to it on the other. While the former impulse dominated early accounts, the latter was not entirely absent. As British influence over the Valley became more direct in the last quarter of the nineteenth century, the colonial desire to transform Kashmir became more pronounced. A colonial official wrote, 'In the days of the Moguls Kashmir must have well deserved the epithet of paradise on earth. At present it is a country of neglected opportunities' (Crawford, 1884). With the appointment of a permanent British resident to the state of Jammu and Kashmir in 1885, the perception of Kashmir as a 'raw' landscape – to be developed by British capital and enterprise under the aegis of colonial government – was cemented.

These contradictory impulses were mirrored in the approach to shawls. As the two epigraphs indicate, Warren Hastings, a merchant of the East India Company and later the first Governor-General of India, embodied both the desire of political elites to preserve the singularity of the shawl and the mercantile tendency towards profiting from imitation and desingularization. This section discusses the effect of European demand on shawl production, the growing imperial influence over Kashmir and the consequent decline in the cultural significance of the shawl.

The early nineteenth century saw the development of an extensive shawl manufacture outside Kashmir in response to the soaring European demand for shawls. As thousands of shawl weavers fled Kashmir to avoid coercive legislation, crushing taxes and subsistence crises, 'Kashmiri colonies' were established in Jammu, Punjab and the Punjab Hill States – each home to a shawl industry of varying scale. In the 1860s, of the ₹23,50,000 worth of shawls exported from Amritsar, only ₹12,30,000 worth came from Kashmir. Estimates indicated that the profits of shawl production were equally divided between Kashmir and British

territory (Montgomery and Davies, 1862, 72–73). A majority of ‘Kashmir’ shawls in this period were most likely woven outside Kashmir. Amritsar emerged as the largest centre of shawl production, described befittingly as ‘the Manchester of the Punjab’; at the turn of the twentieth century, it had 4,000 shawl-looms (Torrens, 1862, 365; Drew, 1877, 126).

Like Manchester, production at Amritsar was prolific but not of the finest quality. The products of the Punjab industry in general were aimed at the middlebrow market and did brisk business in France and Britain. Until the first decade of the nineteenth century, the use of Kashmir shawls was restricted to the ‘rich and the great’. As shawl production expanded, the richly patterned loom-shawls, or *kani* shawls, came within reach of the bourgeoisie and even the prosperous middle classes (Daly, 2002). One English visitor, having discussed the cost structure and profit margins of the wholesale shawl trade with a merchant in Srinagar, wrote to his mother, ‘I cannot imagine where all the one, two and three hundred dollar shawls in your stores come from – *certainly not from Cashmere*’ (Ireland, 1859, 409; emphasis mine). Punjab shawls were, thus, relatively cheaper, lower quality, but still arguably authentic. While for middle-class consumers the difference between ‘Indian’ and ‘Cashmere’ shawls may not have been significant, this ambiguity would have caused considerable discomfort to the elites who had hitherto monopolized shawl consumption.

As Bourdieu notes, when access to commodities is not restricted either by sumptuary regulation or by price, the ‘legitimate’ manner appropriating them signifies distinction (2014, 247). Knowledge about the production of shawls became a crucial part of the etiquette of appropriate consumption. In one fictional account from the late nineteenth century, a Lady Ann is asked what distinguishes a ‘real’ Kashmir shawl from other less esteemed shawls, clearly a question of great import at the time. Lady Ann offers a learned disquisition on shawl production, indicating that while the possession of a genuine ‘Kashmeer’ signifies the family’s wealth, it is her knowledge about the shawl that shows her to be a woman of taste and status (*Kashmeer and its Shawls*, 1875, 11–12). The challenge to the effectiveness of Kashmir shawls as markers of distinction was thus met by complicating the criteria of authenticity. There were, however, other challenges that could not be mitigated in this manner, especially the interventions of European merchants in shawl production in Kashmir and the mass production of shawls in Europe.

Until the 1830s, the East India Company monopolized the shawl trade with Europe. The shawls were auctioned in London, where French dealers bought

the bulk of them. By the mid-nineteenth century, France was the largest market for Kashmir shawls and many French shawl firms had agents residing in both Kashmir and Punjab, commissioning shawls to their own specifications – as foreign merchants had done for centuries. Many of the shawls being produced in Kashmir and Punjab at this time were based on patterns drawn by French artists (Irwin, 1981, 25; Ames, 2004, 35). In his influential treatise, *The Industrial Arts of India*, George Birdwood lamented the disastrous consequences of such European ‘meddling’ on shawl manufacture. The industry, he wrote, was ‘ruined through the quickness with which the caste weavers have adopted the “improved shawl patterns” which the French agents of Paris import houses have set before them’. He also detested the use of aniline dyes, as opposed to natural dyes, especially magenta which was very popular with French consumers (1880, 95–97). Elite consumers saw these interventions in shawl production as corruptions of the ‘pure’ Kashmiri style. As the taint of European contact diminished the aura of irreducible difference so carefully crafted around the shawl, its authenticity was compromised.

As colonial control over Kashmir increased in the last quarter of the nineteenth century, so did the number of European tourists. In addition to shawls, European visitors were important buyers of other Kashmiri crafts as well. One such visitor to a goldsmith’s shop wrote, ‘it was quite hard to find any native designs; the man had got hold of an illustrated catalogue of “Streeter’s Machine-made Jewellery”, and was busy copying all the old designs we had left behind us in England’ (Lambert, 1877, 39). After all, what good was a trip to the ‘Happy Valley’ if the artisans reproduced what their patrons were trying to leave behind? Kashmiri artisans tried to actively cater to what they thought were European tastes, and in doing so, frustrated the Europeans’ quest for authentic products.

As noted earlier, by the 1820s, some part of the Kashmir industry, and a large part of the Punjab manufacture, was oriented specifically to the European market. Since an estimated 80 per cent of the shawls exported to Europe were sold in France, when France lost the Franco-Prussian war, the demand for fine shawls slumped and spelt disaster for the shawl industry. Walter Lawrence, the settlement commissioner of Kashmir, was told about ‘the intense excitement and interest with which the Kashmiri shawl weavers watched the fate of France in that great struggle – bursting into tears and loud lamentations when the news of Germany’s victories reached them’ (Lawrence, 1895, 375). This keen awareness of the market and the consumer within the Kashmir shawl industry is precisely what frustrated the pursuit of authenticity. In such a scenario, the representation

of Kashmir shawls as expressing some genuine native essence, untainted by commercial considerations, proved difficult to sustain.

The final and most severe blow to the shawl's status as a marker of distinction came with the mechanized mass production of shawls in France and Britain. Shawls were woven in Edinburgh as early as 1777, and two decades later, the Scottish town of Paisley became the most prolific centre of shawl production, even lending its name to the characteristic *buteh* or teardrop motif. With the jacquard loom coming into use in the early nineteenth century, machine-made shawls became available for a fraction of what Kashmir and Punjab shawls cost (Rizvi and Ahmad, 2009, 231). While Kashmir shawls could cost between 70 to 300 pounds, a Paisley shawl cost 12 pounds (Rehman and Jafri, 2006, 326; Chaudhuri, 1992, 233). By the 1850s, a Paisley shawl cost between 17s. 6d. to 27s (Chaudhuri, 1992, 233). In 1870, a jacquard-woven paisley cost a pound and printed cotton shawls cost a few shillings. The market was flooded with imitations; in 1851 the imitation shawl industry was worth 30 million francs while imports from Kashmir amounted to a relatively meagre 4 million francs (Rizvi and Ahmad, 2009, 228).

As shawls became cheaper, even working-class women could appear in public wearing them (Rizvi and Ahmad, 2009, 222, 231–32). While European shawls could be distinguished from Kashmir shawls upon inspection, they could look quite similar at first glance (Moorcroft, Trebeck and Wilson, 1841, Vol. I, 332). A 'fake' Cashmere could, if only momentarily, appear to be genuine, leaving the meanings invested in the shawl open to appropriation by even women of 'low' social origin. Examining how shawls were employed in Victorian literature and in the novels of Balzac respectively, Daly and Hiner illustrate that imitation shawls and the possibility of sartorial imposture were the cause of much anxiety in Europe (Hiner, 2005; Daly, 2002). The 'fake cashmere' circulated as a metaphor for impersonation, subterfuge and the transgression of social boundaries. The imitations impacted the symbolic significance of the 'genuine' shawl, not by replacing it, but by depreciating its value. To borrow Walter Benjamin's term, the 'aura' of inimitability, unavailability and singularity of the 'real thing' (Benjamin, 1969, 5–6), was compromised by the production and availability of machine-made shawls. With a profusion of shawls available even to the working classes, the Kashmir shawl lost its ability to signify distinction.

Conclusion

This chapter tells the story of one kind of quest for authenticity – that of

nineteenth-century European elites seeking it in the handmade and discernibly oriental product, the Kashmir shawl. The consumption of shawls in nineteenth-century Europe, particularly Britain and France, rested on generating and privileging particular representations of Kashmir. Since the shawls' desirability and authenticity derived from their connection to Kashmir, the modern myth of Kashmir and the myth of the shawl were co-produced. The genuineness of the shawl was underlined by a selective reconstruction of its biography, and by corollary, the production of reified representations of Kashmir and Kashmiri artisans that have proved remarkably durable: Kashmir as paradise, shawls as quintessentially Kashmiri and Kashmiris as quintessentially productive of commercial fine arts.

From the mid-nineteenth century onwards, the idea of Kashmir as an untouched paradise – on which rested the desirability and authenticity of shawls – was rendered unstable. The production of imitations, especially mass-produced European imitation shawls, seriously compromised the potency of the Kashmir shawl as a marker of distinction, virtually rendering it culturally irrelevant. Moreover, the representation of Kashmir as paradise was finally upstaged as the Valley came to be seen as a frontier of the British Empire and a theatre for British capital and enterprise in the closing years of the nineteenth century.

Today, the trope of paradise has once again taken centre-stage. Kashmir is seen as a repository of mystical tradition with the potential to revivify modern India (Kabir, 2009, 80–103). The only legitimate space Kashmiris seem entitled to in the modern imaginary is that of politically tractable artisans; the current political agitation is therefore seen as a negation of the paradise that Kashmir has come to represent. In her editorial to a collection of essays on Kashmir, for instance, Ira Pande expresses a desire to turn away from its current political situation by choosing instead to focus on 'the soft warmth of a pashmina', while calling for the preservation of 'the only paradise which is a living museum of our past' (2011, ix–x). The Kashmir shawl remains a symbol of a pure, untouched Kashmir, and unsurprisingly, it is this image of Kashmir that both India and Pakistan lay claim to through Kashmir's craft heritage.

Endnotes

- 1 For a detailed discussion of various conventions through which Kashmir has been represented as an exceptional landscape, see Zutshi (2014).
- 2 Regarding the spelling of place names, George Birdwood wrote, 'I have given up Sir Charles Napier's "Scinde", but have not been able to give up Moore's "Cashmere". Whoever heard of the Vale of "Kashmir"?' (1880, vii).

- 3 It is no small irony that their labour came to be seen as an unconscious realization of 'natural' impulses at a time when coercion became central to the control of labour (see Chishti, 2016).
- 4 See, for instance, Forster, 1789, Vol. II, 19; Elphinstone 1839, 55; Jacquemont, 1834, Vol. I, 227, 403, 179; Vigne, 1842, Vol. II, 43, 102, 191; Hugel, 1845, 207, 300, 305.

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The Kashmiri as Muslim in Bollywood's 'New Kashmir films'¹

Ananya Jahanara Kabir

Introduction

The prominent release in early 2010 of *My Name is Khan*, the Shahrukh Khan film that potently brings together autism, 9/11 and Indian Muslim identity, has prompted several commentators on Indian cinema to return to an old question: the portrayal of the Indian Muslim as a minority subject within Bollywood (Kesavan, 2007). Earlier an operation to be delicately executed in step with the Nehruvian consensus on secularism – an emblematic film here being *Amar Akbar Anthony* – the relationship between cinema and Indian Muslim identity (Islam, 2007; Kazmi, 1994) took on an even more complicated turn after 9/11 and 26/11 (the attack on the Indian Parliament on 26 November, 2008). In the episode entitled 'Hindi Films: Stereotyping Muslims' of her signature television programme *We the People*, journalist Barkha Dutt (2010) can now add the 'ominous terrorist' to the list of stereotyped Muslim characters that the Indian media circulates, such as 'the drunk *nawab*' or 'the benevolent *chacha*' (uncle). If, according to the anonymous article 'Indian Muslims' (2010), the average Indian Muslim viewer appreciated *My Name Is Khan* as a film about terrorism 'where the central character that stands out against this does it *not in spite* of his upbringing and religion *but because* of it', this appreciation is all the stronger because of several films prior to its release that attempted to narrativize the implications of the War on Terror for India.

In these films, notably *New York*, *Aamir* and *Kurbaan*, the protagonists were Indian Muslims caught up in the aftermath of terror; but the filmmakers failed to break out of the assumption that for an Indian Muslim to display publicly any relationship or attachment to everyday Islamic tenets was immediately to render him or her susceptible to 'terrorist' ideologies. Indeed, for Bollywood, practicing terrorist and practicing Muslim would seem collapsible categories. If, as Arun Venugopal (2010) opines, 'In Indian movies, the terrorist isn't some veiled abstraction: He's your brother (*Fiza*, 2000) or house guest (*Black and White*, 2008)

or the woman you couldn't live without (*Dil Se*, 1998)', it should be added that in all these 'terrorist' films, apart from *Dil Se* (Kabir, 2003), the terrorist protagonist is Muslim. If these films show 'their torment – over Kashmir, or U.S. foreign policy, or killings at the hands of Hindus in Gujarat – writ large' (Venugopal, 2010), also writ large is the assumption that such torment inevitably manifests itself in acts of terror. Popular cinema becomes the space to work out the fantasies and anxieties that characterize mainstream India's attitudes towards the Indian Muslim.

This chapter focuses on a crucial phase in the evolution of Bollywood's current interest in Indian Muslims as subjects traversed simultaneously by global and local trajectories of 'the War on Terror': three films that focused on the Kashmiri as Muslim, caught up in the Kashmir conflict, and in conflict, therefore, with the Indian nation and state. These extremely popular films, *Roja* (Mani Ratnam, 1992), *Mission Kashmir* (Vidhu Vinod Chopra, 2000) and *...Yahaan* ('... Here'; Shoojit Sircar, 2005), bring together within the arena of popular cinema two issues, both of extreme cogency during the decade their appearance spans: the escalation of the long-standing Kashmir issue into an armed insurgency that then provoked massive militarization of the region by the Indian state; and the radicalization of the Indian public sphere by Hindutva ideologies following the demolition of the Babri Mosque in December 1992.

These films, which I collectively term here the 'new Kashmir films', thereby participate in Bollywood's long history of representing the Valley of Kashmir (centrally located within the disputed region of Jammu and Kashmir), while intervening decisively within that history. Another prominent recent film about the Kashmir conflict, *Fanaa* (2006) thus falls outside my discussion as, unlike the films focused on here, it does not use the possibilities of narrative (plot, complication, resolution) to stage a dialectic encounter between Islam, the Kashmir conflict and the Indian nation. Unlike the other films under scrutiny, *Fanaa* does not stage debates between its Muslim protagonists on the nature of 'good' and 'bad' Islam, or on the benefits (or otherwise) of aligning oneself to the Indian State. As Verma (2006) comments:

One cannot help but fault *Fanaa's* ill-defined patriotism. Take the case of a few other films of this genre. While *Roja* succeeds in representing the Kashmir crisis and *Dil Se's* projection of terrorism is more detailed, *Fanaa* uses it as ploy but never articulates its impact or urgency (Verma, 2006).

The flamboyant inaugural moment for Bollywood's Kashmir obsession is the genre of 'Kashmir' films in the 1960s. They are memorable for a disarming

innocence that pivots on an overt disengagement with the politics of Kashmir even while the space of Kashmir is moulded, through narrative, into a postcolonial playground for metropolitan Indians (Kabir, 2005). During the 1970s and 1980s, the Valley was reduced to a visual backdrop for romantic song sequences. From the 1990s onwards, however, Bollywood displayed a resurgent interest in using Kashmir as the setting and motivation for film narratives. While overtly similar to the strong narrative engagement with Kashmir displayed by the 1960s films, this return to Kashmir after two decades of a cinematic lull is predicated on the deliberate narrative invocation of Kashmiri separatist demands that emerged during the early 1990s, whose genesis and impact have been usefully discussed by, for instance, Bose (2003) and, in a more personalized vein, Qureshi (2005). A visible index of this difference between the 1960s films and the new Kashmir films is the latter's foregrounding of the Kashmiri as Muslim, engaged in a dialectic relationship with both Islam within India and the Indian nation-state.

As suggested above, this foregrounding of religion is over-determined not only by Indian Islam's historical representation within popular cinema, but also the relatively more recent language of *jihad* and pan-Islamism. National identity politics vitiated by the destruction of the Babri Mosque in December 1992 and the Hindutva wave that concurrently swept through the Indian public sphere were further vitiated by the anxieties unleashed on a global scale post 9/11 and the 'War on Terror'. That the 'fraught and contested discourse around *jihad*' should now inflect popular cinema's long-standing insistence on 'the pluralistic composition of India' is itself, in fact, 'the sign of a historical shift' (A. Rai, 2003). Yet, while these convergences register the ways in which the 'globalization' of Islam and the Muslim now impact the national and the local, what might they reveal when they map, within films that focus on the Kashmir conflict, the Kashmiri as Muslim? I will argue that narrative energies, libidinal economies, gender politics and affective reinvestment in long-standing symbols of collective identity come together to unveil the subliminal fears and fascinations of the consumer of popular cinema as the nation's dominant self, while cloaking from that gaze the full complexities of Kashmiri grievances against the nation.

Bollywood and Kashmir, Kashmir in Bollywood

Of the three films under scrutiny, it would seem that the term 'Bollywood' is appropriate only for the big-banner, multi-starrer *Mission Kashmir*. *Roja* was initially released in Tamil but its soundtrack generated enough interest in the film for Mani Ratnam to release a version dubbed in Hindi, which went on to become a

national hit, while ... *Yahaan* was a low-budget film made by a little-known director of advert films, Shoojit Sircar, with a newcomer, Minissha Lamba, in the female protagonist's role and a well-known but low-key actor, Jimmy Shergill, in the male lead. Despite their divergent production contexts, however, all three films share a cinematic language, answering to corresponding cinematic expectations, which we can label, in a generic fashion, 'Bollywood'.

The investment in melodrama (Vasudevan, 1995, 2002) and the interruption of narrative by song and dance sequences (Gopal and Moorti, 2005; Gopalan, 2002) are key features of this shared language, as is their participation within popular cinema's long-established tradition of using the Kashmir Valley as a space for pastoral escape, metropolitan fantasy and the blossoming of heterosexual romance (Kabir, 2005). Thanks to the 1960s films, the Valley had evolved into a visual register for 'modern love'. *Roja* revived and recontextualized this narrative use of Kashmir within a new political framework, without, however, ever forsaking the romance plot. With *Mission Kashmir* and ... *Yahaan*, the trend continued into the next decade.

This recontextualization includes breaking cinema's earlier rules of self-censorship regarding the Muslimness of its Kashmiri protagonists. While such self-censorship has often been discussed in relation to the increasing communalization of the public sphere, its relationship to that other index of national belonging, ethno-linguistic identity, has not often been remarked upon. For instance, when Jyotika Virdi observes that in popular cinema 'animosities among religious communities, primarily Hindus and Muslims manifest themselves in overt and covert ways' (2004, 30) – more overt than covert, I would add, ever since the ascendancy of the Hindu Right – she does not link this comment to her earlier observation that (in this cinema) 'regional markers of costume, dress and culture are either erased or deployed arbitrarily' (Virdi, 2004, 123). Particularly for the Kashmir films, however, the interplay between religious and ethnic identity has always been crucial, and analysis of any one of these issues must consider the ways in which the other is invoked or repressed. Thus, the 1960s Kashmir films airbrushed the Muslimness of Kashmiri protagonists through the choice of 'neutral' names and markers of difference devolved on folk ethnicity (Kashmiri dress, for instance) rather than Islam (Kabir 2005, 92–93; Dar, 2007). In marked contrast, today's Kashmir films are far from coy about admitting the possibility of Kashmiri protagonists who are also Muslim. Indeed, their very Muslimness becomes the engine of narrative complications.

From a narratological point of view, within the two phases of Kashmir films

that we are considering, the function of the Kashmir Valley remains unchanged. In the first phase, non-Kashmiri protagonists (usually male) travel to Kashmir, fall in love with Kashmiris and let the romance plot do the rest. In films of the second phase, this pattern may recur (as in ... *Yahaan*), but more frequently romance implodes into the Valley, with the tensions moving the narrative forward being generated by competing worldviews of individual Kashmiris who are emotionally entangled with each other as well as with non-Kashmiri characters who travel to the Valley. Furthermore, the family, rather than the nucleated couple, emerges as a space for working out these ideological differences. But importantly, the Valley and its inhabitants continue to provide the catalyst for the romance plot, and the difference between Kashmiri and non-Kashmiri still instigates the libidinal energies (including, in the case of *Mission Kashmir*, oedipal struggles) that have to be resolved in course of the narrative.

Nevertheless, there is a shift from foregrounding religion rather than ethnicity as the marker of that difference; around this shift, furthermore, accrue further associative and affective significances in the form of crucial changes in narrative rationale. These changes correspond to changing national pre-occupations: if, in the 1960s, these pivoted on the axis of tradition versus modernity (Kabir, 2005, 89–91), by the 1990s they had moved to national and global identity politics, the aggression of Hindutva and Kashmiri demands for *aazadi* ('freedom'). The emergence of the Kashmiri as Muslim in popular cinema must be read against the aggregate of these changes.

In 1960s films such as *Junglee*, *Jaunwar* and *Jab Jab Phool Khile*, the Kashmir Valley was a destination for the experience of new forms of leisure and pleasure, in a manner that elided all references to the political situation. Metropolitan protagonists, both male and female, were shown as travelling to the Valley to play tennis and golf tournaments, on college excursions, or simply to recover from the stress of urban living. In contrast, the Kashmiris they met were depicted in metonymic contiguity with the landscape the camera showcased. Placed against the panorama of the Valley's visual splendour, they emerged as representative of a pastoral idyll outside of capitalism and modernity. Being 'Kashmiri', signalled particularly through Kashmiri dress, became a signifier of modernity's other; that both needed to be jettisoned and retained as a mirror to the postcolonial nation's emergent sense of self.

In the changed configuration of the 1990s, however, being 'Kashmiri' means a layering of a Muslim identity on to the inherited presentation of an ethnic Kashmiriness, itself fetishized. The visibility of the Kashmiri as 'other' accrues

new signifiers even as new reasons emerge for the narrative movement of non-Kashmiris to Kashmir. Now, what Srinivas (1994) calls 'the law and order state' is why people travel to the Valley: as cryptographers (*Roja*), police officers (*Mission Kashmir*) or army officers (... *Yahaan*).

What is additionally significant is the role of Islam within the encounter between Kashmiri and non-Kashmiri that these films stage. The political unrest in Kashmir is shown as being motivated by an ideology grounded firmly in a militant Islam. In other words, the law and order state swings into action because Islam has catalyzed aberrant behaviour in Kashmiris. '*Jihad*' (Devji, 2006), a word that resonates across the films, is shown as the motivation for Kashmiri rejection of the nation-state and its machinery, which the protagonists of course represent and uphold. The ideology of *jihad* is conflated with the everyday practice of Islam visually through significant shots of Kashmiris, both male and female, at *namaaz* (Muslim prayer) and aurally through the sound of the *aazaan* (Muslim call to prayer) that floats across scenes of military and militant confrontations. Such scenes occur in all three films as framing devices for the narrative proper, which offer powerful tools for this linking of a violent and militant Islam to the Kashmir conflict and urge us to read the romance between protagonists in terms of that linkage. Adherence to Islam is shown thereby to be fraught with danger and excess and is frequently contrasted with a charmingly spontaneous Hinduism, practiced, for instance, by Roja (Niranjana, 1994, 80) and by Neelima in *Mission Kashmir*.

Who's afraid of 'Al'? Or, seduced by *jihad*

In their collective insistence on – and indeed seduction by – *jihad* as the motivation behind the Kashmir conflict, the films perpetrate a gross oversimplification of a very complex situation on the ground in Jammu and Kashmir. Here, a brief recapitulation of that situation from the 1990s onwards is necessary. The territory of J&K has been disputed between India and Pakistan from 1947 onwards. In late 1989, a popular armed movement emerged from the Kashmir Valley, demanding *aazadi* or freedom for Kashmiris (primarily from the Indian government). Supported emotionally and materially by Kashmiris and others in Pakistani-administered (or 'Azad') Kashmir, across the de facto border of the LOC (Kabir, 2009a), the call for *aazadi* was by no means a clear set of demands for what *aazadi* might entail. Indeed, the confusions around *aazadi* reflect the confusions around a robust sense of Kashmiri identity within which Islamic belonging is but one element (Kabir 2009a, 2009b). Likewise, the popular

perception in India that the Kashmiri movement for *aazadi* is *prima facie* a pro-Pakistani position, reflects only one version of what Kashmiris have been demanding *in lieu* of the status quo.

Popular cinema's presentation of Pakistan, Islam and Kashmir in a vile nexus of anti-Indian conspirators flattens out a multiply charged battle over Kashmiri identity in Kashmir itself, co-opting it instead to serve Indian anxieties about Islam and Pakistan. *Mission Kashmir's* opening scene depicts a shadowy deal being consolidated between Hilal Kohistani, an Afghan *mujahid* as mercenary (dollars, he insists, must be the currency of his promised reward of 10,000) and thinly disguised Pakistani bureaucrats. Kohistani – a caricature rather than a character – promises to furnish for the cause of anti-Indian *jihad* the Kashmiri youth Altaaf (whom we will soon see physically crossing the mountainous border region of the LOC, entering Hindustan as an infection in the body politic, as discussed by A. Rai, 2003). Hovering in the foreground of the entire scene is the silhouetted figure of a turbaned, bearded man, a visual allusion to Osama bin Laden. While the escalating rhetoric around bin Laden at the time of *Mission Kashmir's* release makes this allusion explicable, if not excusable, what are we to make of the language of *jihad* inserted into the mouths of the Kashmiri 'terrorists' as early as *Roja*? It is true that, as the 1990s unfolded, pan-Islamic groups operating within Kashmir increasingly gained visibility and power (Bose, 2003). Yet, within the cinematic representations of the Kashmir movement for *aazadi*, it has always already been about *jihad*.

The inability to let go of *jihad* is apparent even in ... *Yahaan*, which aims, through grittier and more realist cinematography, for a more nuanced presentation of the situation in Kashmir. The director's interest in nuance is evident in the rather different kind of prologue that frames the narrative proper. Neither a chase through forests nor a secret deal between enemies of Hindustan, but a conversation in a printing press is what opens this film. We see Kashmiris joking about political aspirations as well as the status quo – 'I'll wear a clean shirt only after we achieve *aazadi*', declares a young man in mock-heroic defence of his personal hygiene, while another finds the antiquated machinery of the press 'as bad as Kashmir'. Into this grimly jovial scenario bursts the Indian army, and in the chase that ensues, Shakeel, who we understand runs the printing press, is driven into the arms of those other Kashmiris who believe in the might of the gun rather than the pen. In escaping the army's tentacles, unjustly out to grab him, Shakeel ends up in the coils of an enemy familiar to Bollywood's audiences – a bearded elder called Al-Sami, the leader of an outfit called Al-Jihad, which does not care 'to wait for either Hindustan or the UN to decide what to do with Kashmir'.

While the Arabic prefixes emphasize the pan-Islamic associations of Al-Sami and his henchmen, the conversion of Shakeel to this cause is all the more meaningful because of what he has left behind in order to become Al-Jihad's second in command. Unlike the light-hearted banter in the printing press, Al-Sami's milieu is one of repression of dissent; in fact, his sidekick Majeed shoots point-blank a young questioner within the ranks. The opening section's ominous juxtaposition of pro-*azaadi* pamphlets with graffiti inscribing Allah in Arabic thus sets up an opposition that becomes value-laden through the quickly-established alignment of Al-Sami, Al-Jihad and Allah. Under these circumstances, the 'free speech' that Shakeel has been forced to turn his back on is a potential source of approbation for the Muslim subject, and indeed Shakeel's continuing tendency to question and debate is the sign of a residual and ultimately recuperable goodness. For this reason, the story does not dispose of him – it is Al-Sami and Majeed who fall, fittingly, to a hail of bullets. The narrative's granting Shakeel the chance to live (hopefully, from its perspective, a 'reformed' life) echoes the conclusion of *Mission Kashmir*: here Altaaf finally chooses the good father figure, his foster father Inayat Khan, the Inspector General of Police (also a Muslim), over IG Khan's bad counterpart, Hilal Kohistani.

It could be argued that in offering us these choices of recuperable and non-recuperable representatives of Islam, *Mission Kashmir* and ... *Yahaan* steal a march over *Roja*, which pits Kashmiri Muslims against Indian Hindus in a black and white morality play (Niranjana, 1994; Bharucha, 1994; but note the apologetic take on this issue by Dirks, 2000). Granted, *Roja* too had shown Liaqat Khan to be ultimately susceptible to the seductive combination of non-negotiable devotion (to the nation and to the husband), rational argumentation and unassailable willpower that Rishi and Roja collectively present. As he declares while letting Rishi go, 'Even the terrorist will wipe his tears'. Yet, for all we know, Liaqat Khan remains a terrorist, his even more dreaded colleague Wasim Khan's final defiant cry is 'we shall get our *aazadi*', and Wasim's silent sister leaves the narrative without having spoken a word.

Where *Mission Kashmir* presents a relatively more complicated presentation of the Kashmiri as Muslim and the Muslim as anti-national, is in offering to viewers a diversified spectrum of Muslim characters, which articulates and enacts a range of allegiances to the nation-state and its apparatuses (including the cinematic). In the case of ... *Yahaan*, through the romance between Aman, a Rashtriya Rifles commander, and a Kashmiri woman, Ada, who happens to be Shakeel's sister, this spectrum shifts to the domestic sphere, where it replicates through visual signifiers the drama surrounding Shakeel's defection and ultimate return to the fold.

Indian Muslims/Kashmiri Muslims/good Muslims/bad Muslims

Let us first examine how this spectrum of Muslimness operates in *Mission Kashmir*. IG Khan's ethnicity is hinted at as Lucknowi, but far more crucial to the film is his Muslimness, evident in his name, which is selectively but carefully emphasized according to the needs of the cinematic moment. On the one hand, he prays the *namaaz* (more on which below); on the other, he ventriloquizes soothing statements about the loyalty of Muslims to the nation, particularly those in government employ. He is, in short, a model police officer and a model Indian Muslim, right down to his unconverted Hindu wife, Neelima. Sufi, Altaaf's childhood sweetheart, is a female (and Kashmiri) version of IG Khan: she pleads humanism, works for Doordarshan's Srinagar office, foils Kohistani's plans and brings Altaaf back to goodness. Both Khan and Sufi present comforting, reassuring examples of Muslims, motivated not by *jihad* but by the memory (if not practice) of South Asian Sufism – a reminder constantly given to us by the homology of Sufi's name itself. Thus, the oedipal battle enacted in *Mission Kashmir* is not merely one where the family is a trope for the nation, where 'through the process of isolating and eliminating the terrorist monster from the national imaginary, the normalized Muslim citizen performs her identity-in-difference as her duty to the national family' (A. Rai, 2003); rather, this battle itself becomes a trope for the struggle between competing versions of Islam.

Through this struggle, moreover, Kashmir's concerns are effectively subsumed within India's. The cinematic battle staged between Sufi-based understandings of Islam and Arabic-style refashioning of Muslim identity superficially mimics local contestations over the meaning and praxis of Islam not merely in Kashmir but all over South Asia; but the resemblance is, at best, inadequately presented, at worst, inadvertent. The films are devoid of any reference to the dynamics of class and history that determine and complicate those Kashmiri contestations (M. Rai, 2004; Zutshi, 2003). Secondly, they dance completely to the tune of a benevolent Indian discourse of 'good Islam', which retreats to a fetishized alternative pantheon of syncretic Sufi saints and preachers (Stewart, 2001; Alam, 2001; Sila-Khan, 2004, 8–29) as an ostrich would to sand; this strategy is their way of countering the perceived evolution of Kashmir from 'soft Sufism to radical Islam' (Khazanchi, 1998).

Within this pantheon, Kashmiri Sufi poets (Lal Ded, Habba Khatoon) are prominent, but their inclusion appropriates rather than acknowledges the distinctiveness of and local contestations over Kashmiri Islam (Khan, 2002). Thus, both IG Khan and Sufi are 'good Muslims' because of the same reason:

their investment in the Indian nation – a concrete instance of how popular cinema presses Kashmiri Islam into its 'insistence that the Indian nation is a plural, necessarily heterogenous space' (A. Rai, 2003). This strategy reappears in ... *Yahaan*, with Shakeel's roll call of Sufi figures dear to secular Indian discourse, including the Kashmiri representative Lal Ded. The film's desire to probe the reasons for Shakeel's change of heart is thus coloured by its inability to see his earlier self as anything but a mirror for a gentler version of Indian Islam.

In ...*Yahaan*, furthermore, specific visual signifiers calibrating the spectrum of Muslimness convey new alliances that the 'good Muslim' is encouraged to make within the Indian public sphere. These signifiers are what I term conspicuous praying and conspicuous veiling. The former derives from an Indian cinematic convention whereby the Muslim on the prayer mat represents a moment of spectacular and lapidary otherness. Shots of Ada's father and Ada herself at *namaaz* participate within this convention, which is simultaneously reinserted within a newer signifier – conspicuous veiling. Varied veiling practices signal the impact of global Islam within the family. Why else is Ada's pre-pubescent cousin, otherwise devoid of narrative function, shown wearing a tent-like *hijab* (Muslim head-covering), whose pan-Islamic affect contrasts with the loose *dupatta* (South Asian shoulder scarf) on Ada's grandmother's head? Ada's wearing of the *dupatta* on her shoulders, while sporting tumbled locks, represents a visual compromise between these contrasting symbols of vernacular and international Muslimness. These, furthermore, are aligned with parallel symbols of vernacular and international modernity – *kashmiri patton ki beedi* ('Beedi rolled with Kashmiri leaves'), which Ada's grandmother is partial to, and the jeans that Ada brings home, in wearing which she enacts a wish-fulfilment song. The film suggests that while jeans and veils are mutually exclusive, those pre-disposed towards jeans are those predisposed towards romance.

My analysis might appear unnecessarily trenchant and joyless: what can be so wrong in depicting a *beedi* (indigenous hand-rolled cigarette)-puffing grandmother and a jeans-loving Ada? Nevertheless, I find problematic the trajectory the film traces from an inherited open-mindedness to an aspirational modernity, while foregrounding always visually-recognizable signifiers of Islam. The already reductionist subliminal message, that the Muslim today has to choose between religion (veiling) and modernity (jeans), when transposed on to the terrain of Kashmir, is in danger of trivializing Kashmiri aspirations as to do with dress rather than democracy. Add to this mix the dimension of gender and romance, and the problems amplify: Ada, the Kashmiri Muslim, rails against her fellow

Kashmiris who 'have forgotten how to love' while her romance with Aman, the noble representative of the Rashtriya Rifles, is the transcendent act that will redeem Kashmir. Although the film painstakingly represses information that would confirm Aman's Hindu identity, the discourse about Islam interpellates him into the position of the Muslim's religious other in order for the film to make full emotional sense. This interpellation is further augmented through the film's sentimentalizing of the relationship between Hindus and Muslims via the figure of Shree, the orphaned Kashmiri Pandit girl who is adopted by Ada's family.

While Shree is ostensibly a victim and a survivor of the Pandit exodus from the Valley (Evans, 2001), she is made to embody both the violence perpetrated by some Muslims (*jihadis*) on a composite Kashmiri culture, and the continuing preservation of that culture by others (the 'good' members of Ada's family). Her semiotic multivalence contrasts with her inability to speak; is she then the film's acknowledgement of the way the cinematic apparatus itself silences a painful and controversial issue to facilitate another set of identity politics to which it is allied, but with which it is by no means interchangeable? Another silent figure, Wasim Khan's sister in *Roja*, can be seen in a similar light. It has been suggested that her silence conveys an inexpressible attraction for Rishi's devotion to his nation (Dirks, 2000, 172). But since Rishi's position within that nation is guaranteed because of his normative Hindu identity, neither that devotion nor the attraction it is seen to generate can be prized away from religious difference. In *Mission Kashmir*, a discussion between a Sikh and a Kashmiri Pandit soldier similarly unleashes spectres of sectarian violence. Underlying all these references is the original trauma of Partition: which, for instance, in *Roja*, Rishi overtly recalls when he tells Liaqat Khan that 'India will not be partitioned again.'

Longing, loss, melancholia: Kashmir and the (Indian) viewer

This persistence of the memory of Partition has been often enough noticed, including in the context of *Roja* and *Mission Kashmir* itself (A. Rai, 2003; Dirks, 2000, 171 and 174). But how does 'Kashmir' as a live issue interact with 'Partition' as a memory? In all three films, the baseline remains the 'unity and integrity of India', an assertion that finds echo in the slogan for India's stand that 'Kashmir is an integral part of India.' But this echo itself mimics the way public discourse in India has tended to suck all issues into the vortex of Hindu-Muslim tension. As with the struggle over competing versions of Islam, the Kashmiri Pandit exodus must be viewed as a product of class antagonisms with a pre-1947 history (Sender, 1988) that overlaps with, but is not reducible to, the history of communal tension in the

rest of India. From *Roja*, when the Kashmiri as Muslim is the ultimate outsider, to *Mission Kashmir*, where the Kashmiri as Muslim must be re-assimilated into the Indian fold, and to *...Yahaan*, where the good Kashmiri Muslim romances the army officer of unspecified religion: clearly, underlying these divergent narratives is the same desire for a congruence of the relationship between Hindus and Muslims in Kashmir and that between Hindus and Muslims in India.

What, if any, then, remains the specific role of Kashmir in these films? Here, we return to the established role of the Valley as the space for romance and for the construction of a modern subjectivity through romance. Embedding in a time of overt violence the Valley as the nation's eroticized space endows the interlocking of affect between Hindus and Muslims in these films with added meta-cinematic resonance. Critiques of recent Kashmir films have tended to take as the starting point of analysis this cinematic function of the Valley, rather than subject it to scrutiny, but how might we move forward from simplistically mourning the erosion of this space of paradisiacal fantasy (Niranjana, 1994, 80; Chakravarty, 1993, 209).

Perhaps we need to mobilize critical, historicist scrutiny without dismissing what Ranjana Khanna (2003) calls the critical potential of melancholia, and that, as I have argued elsewhere, is inherent in our continued immersion – as readers, viewers and scholars – in the history of cinematic affect that devolves around Kashmir (Kabir, 2009b). We certainly must probe the affective statements made when *Mission Kashmir* opens with a scene of a *shikara* blowing up on the placid surface of the Dal Lake, or when *...Yahaan*, despite its visual focus on downtown Srinagar, chooses to shift to the Lake for staging the evolving romance between Ada and Aman, or when Mani Ratnam reconstructs Kashmir, totally unavailable for filming in the turbulent early 1990s, in Dalhousie. Such visual attempts to cling on to an older imagining of the Valley must be interrogated while focusing on the new cinematic emergence of the Kashmiri as Muslim, but without dismissing the reparative possibilities (Rosello, 2010) inherent in affective engagement.

By drawing on the inter-textuality of the Valley's cinematic representation, these films suggest that violence in Kashmir, unleashed in the name of *jihad*, menaces the nation's basic building block: the heterosexual couple. As Srinivas says succinctly in his article 'Law and Order State' (1994, 1225): 'Fight terrorism or your family will go to the dogs'. The transparency with which this message is proclaimed in *Roja* mutates into a subtler oedipal drama in *Mission Kashmir*, while in *...Yahaan* the love between Ada and Aman the army officer plays out yet another means of assimilating the couple to the national family and its apparatuses

of security and protection. Here, the films' collective mission to exonerate the nation-state of its share of blame for the conflict in Kashmir is also telling. Thus, the Kashmiri is typically shown in the grip of militant Islam, while the state's structures of administration, security and policing tend to be shown in a benevolent light. Narrative energies are cathected on to the strengthening of this binary, so that comedic plot structure serves to confirm, through closure and reconciliation, that the Kashmiri's ultimate affiliations are with those who embody, benefit from and serve the benevolent state.

Those who resist reconciliation, typically the die-hard *jihadis*, are cast out of the happy ending through bullets, audience censure, or, increasingly, the murky networks of global terrorism, all the more menacing because of their fuzzy relationship to standard nationalist allegiances. Indeed, one can see this evolution in the protagonist of *Fanaa*, delineated as the global terrorist who happens to be Kashmiri, and whose antagonism to both India and Pakistan can be interpreted in terms of the rhizomatic movements of such non-state actors on the global stage; as Alpana Sharma (2008) has argued, the global is increasingly usurping the primacy of the local in such films. In general, these heavy teleological pressures overwhelm any counter-examples of army brutality that represent the films' conscious attempts at 'fairness'.

In this respect, I do not find ... *Yahaan* as advancing significantly beyond the parameters set up by *Roja*, which so clearly lacked 'a critical edge' (Dirks, 2000, 163), although I would concede that *Mission Kashmir* remains the most psychologically complex of these three films, in part because of the use of visual effects that replicate trauma and that consistently slice against the narrative flow: I am thinking, here, of the repetitions of dream sequences, for instance, which give an insight into the mindset of Altaaf (Kabir, 2009b). However, where *Mission Kashmir* does concur with *Roja* and ...*Yahaan* is in the glowingly feel-good depiction of the Indian public sphere, particularly as manifested in the slick new cultures of conspicuous consumption that have emerged out of economic liberalization. While these are alluded to rather than overtly engaged with in *Roja*, they are already apparent as its deepest allegiances. More than one critic has observed that 'the deepest influence on Mani Ratnam is advertising, which provides him with the craft and the ideology of his filmmaking' (Dirks, 2000, 176). If 'the pleasure of [*Roja*'s] text is analogous to all the other pleasures promised (and in part delivered) by the contemporary spiral of liberalization and middle-class consumption' (Dirks, 2000, 163), these pleasures gain further prominence in the Kashmir films that follow it.

Thus, it is no accident that Sufi in *Mission Kashmir* works for Doordarshan's Srinagar office, and seems primarily in charge of arranging Music Television (MTV)-style music videos and Hard Talk-style chat shows. Her ebullient personality is shown to thrive in the milieu of her office, and it is, in fact, used to convey the gap between Altaaf's traumatized psyche and her own assimilated self – a gap that the narrative emphatically seeks to close by bringing Altaaf, would-be destroyer of none other than Srinagar's television tower – closer to her vision of life. This redemption promised by television is powerfully delivered in ... *Yahaan*, itself a product of an advert film director's imagination; here, it is a private news television channel and its program, *Seedhe Sawaal* ('Straight Questions'), that enable Ada to broadcast her love for Aman, facilitate the army's victory over the militants and also chastise the entire Valley, shown spellbound by her voice over the airwaves, for 'forgetting how to love'. Not at all coincidentally, Ada's broadcast takes place at the same time as the army's storming of a Srinagar mosque where the *jihadis* have taken civilians hostage. With Shakeel at the *jihadi* vanguard, his father as one of the hostages and Aman (future son-in-law) directing army operations, the family returns as the centre-stage for wider contestations, although now firmly located within the space of public Islam.

At the frontline of diverse wars

In a meta-cinematic moment in *Mission Kashmir*, one of Altaaf's fellow militant's comments that 'battles are not won by guns, Altaaf – they are won by cameras'. It is remarkable how the new Kashmir films celebrated rather than critiqued or mourned the omnipotence of the camera lens that has framed Kashmir from the advent of colonial modernity itself, to the present day (Kabir, 2009b). In the context of how Bollywood represents Muslims and Islam, it is important to note that this celebration found new energy and relevance through fixing the gaze on the Kashmiri as Muslim. It is one of the medium's ironies that this gaze also enabled, for the first time, cinematic acknowledgement that the Valley today is far from paradise on earth. Nevertheless, what remains persistent from the heydays of the 1960s Kashmir films is the use of the Kashmiri as the other to the nation's dominant self, an other that is sought to be both assimilated to annihilate its perceived threat, but also kept teetering on the brink of belonging in order to assert the self's perceived centrality.

This unstable equilibrium may well translate into new modes of self-assertion by Kashmiris themselves, and indeed the sustained and innovative uses of social networking sites and YouTube by young Kashmiris in the current 'stonethrowing'

phase of Kashmiri resistance to Indian militarization suggests that such a shift is occurring right now. As the climactic confrontation between the television studio and the mosque in ... *Yahaan* powerfully conveys, in its interest in the Kashmiri as Muslim, cinema has successfully cannibalized the Kashmir conflict and regurgitated it as a convenient foil to the nation's new paradigms of economic liberalization.

One of the legacies of this cannibalization, furthermore, has been to bequeath to later films ever more interested in probing the 'Muslim question' a precedent in portraying the Muslim as terrorist, both through distilled images of Muslimness as well as dialectic engagements with reasonable characters whose ideologies are aligned to those of the State. In conflating two issues with separate genealogies – the Kashmir issue and the position of Indian Muslims – these films have, unfortunately, served well the cause of both Hindutva ideologies and the neoliberal status quo. At the same time, their engagements with nascent narratives of global terrorism have opened out an extra-national discursive space where undesirable Kashmiri Muslims may be jettisoned and the national body thereby cleansed. This new mode of scapegoating the Kashmir Muslim thus also offers a valuable foil to Bollywood's subsequent co-optations (such as in *My Name is Khan*) of the Indian Muslim as an earnest partner rather than front-line enemy in diverse neoliberal discourses, including the ideologically ever-useful 'War on Terror'.

Endnotes

- 1 This essay was first published in *Contemporary South Asia* 18 (4) (December 2010): 373–85.

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The Witness of Poetry

Political Feeling in Kashmiri Poems¹

Survir Kaul

Concertina wire is the most widespread form of vegetation in Kashmir today. It grows everywhere, including in the mind.²

Much of the extraordinary violence that Kashmir has seen over the last two decades and more has been documented by Kashmiri and international human rights groups, civil society activists and journalists. However, the effect such long-term violence has had in the forging of political subjectivities has not become central to scholarship on contemporary Kashmir. That Kashmir has become a conflict zone, with periods of intense violence followed by months of relative calm, is acknowledged by all, but commentators rarely factor in the effects of such prolonged instability and suffering on the political and social attitudes of Kashmiris today. Analysts tend to focus on political developments and incidents of violence in the moment, and even those who recognize that there is an entire generation and more whose only sense of 'normality' is of a conflict-ridden Kashmir, make this observation only to set it aside. Noticeably absent from such analyses is a sense of traumatized lives under siege, or of the way in which the pressure of events transforms subjectivities and repurposes political priorities over time.³

But loss and traumatic experiences are now woven into the fabric of Kashmiri lives: everyone has first-hand accounts of violence to offer and people often call attention to their experiences as they explain their political positions. I have suggested elsewhere that creative texts produced in times of conflict offer a way of addressing crucial lacunae in our understanding of Kashmir and Kashmiris, for they illuminate not only the political and ideological issues at stake, but also states of being precipitated by violence, loss and resistance. For instance, poems from conflict zones are sure guides to the intensity of feelings that result from prolonged conflicts, and which, over time, play a significant role in the perpetuation of the conflict. This can be a matter of idiom and tone, for the performative elements

of a poem emphasize emotional and psychological intensities sidelined in the affectively-neutral tones of news reportage, policy documents, or standard historiography (Kaul, 2015). As Muzamil Jaleel noted early in the period of conflict, Kashmiri poetry had become a crucial medium for the articulation of trauma and of protest in a time when censorship and fear made writing in prose dangerous (2002).

In recent years, I have been working with a Srinagar-based scholar to collect and translate contemporary poetry in Kashmiri into English. Our project is particular: we ask how poets have responded to the bloody disruption of civic and political order in Kashmir in the last two decades. As we know, poets are artisans who are bound by past practices (formal and generic conventions, arresting images or turns of phrase, powerful insights into existential or historical conditions) even as they generate innovations in theme and language that allow them to engage with the present in order to imagine different futures. Poems, that is, can be read as bearing witness to, or more precisely, *performing*, the fracturing or forging of cultural assumptions. In Kashmir, poems have provided a remarkable number of everyday colloquialisms and aphorisms, and have thus long played an important role in the historical formation of *Kashmiriyat*, the idea of a collectivity different from others outside the language community. For instance, phrases and lines from the poems of the fourteenth-century mystics Lal Ded and Sheikh Noor-ud-din Wali (Nund Rishi) are treated as maxims, and spoken often enough to constitute the commonsense of the land.⁴

While *Kashmiriyat* as idea and as description of shared lives and cultural assumptions across religious communities has been belittled as a utopian, retrospective backformation that attempts to paper over age-old sectarian and social divides, there is no question that the melding of Buddhist, Hindu and Muslim ideals provided Kashmiris with a vast reservoir of spiritual ideas at odds with more doctrinaire and prescriptive forms of religious belief. Many of these ideas are central to the Sufi tradition, with its concomitant devotion to local shrines, that differentiates both Muslim and Hindu forms of worship in Kashmir from practices elsewhere (not seamlessly or without contestation, of course, but certainly definitively). Thus, the disappearance of crucial elements of this way of life – the loss of trust between Hindus and Muslims that led to the mass exile of the former, the breakdown of the civic compact under the pressure of militants and the state – is bound to result in poetry that mourns, resists, denounces this state of affairs. At least that is what I assumed when I began this project in summer 2008.

As I discovered very quickly, the scholarly pursuit of poetry is no more

immune to the ravages of civic strife than is life itself: in two weeks in Srinagar, I could work with my collaborator for all of two days (this has been the pattern in two subsequent visits too). Strikes and curfews, public protests and police responses, ensured that no one left home unless it was absolutely necessary. I spent days indoors or on our balcony instead of in conversation with writers or aficionados of poetry, and the sounds that carried occasionally were the slogans and shouts of massed people, as well as the sharper retort of tear gas guns and rifles. Occasionally wisps of tear gas would float past our home, located as it is on the edge of a volatile neighbourhood that has long been a stronghold of the JKLF (one of several political groups allied under the banner of the Hurriyat Conference, which now leads the movement for political self-determination). The musicality, formal cadences and intelligence of poetry seemed very far away, replaced by the muscular and polarized noise of a violence-torn public sphere. It was fitting then that one of the first arresting poems I read, brought to me in manuscript by a friend, resembled neither of the forms that are the staple of Kashmiri poetry, the *ghazal* and the *nazm*. This is (in our translation) what I read:

I am bundling the winds
 I am making the night the day, day the night
 I die slowly, steadily, and continue to live on
 I see the desert and pull on the desert
 From my eyes, oh, a river flows

I wouldn't care if they killed me
 Dead, beaten, they keep me alive
 I will come out of here, emerge with renewed resolve
 What will they do to me, these rods and hammers?
 I have, like a tear, dropped
 Does a tear ever return

All that I have seen, don't ask me, oh
 Those adored ones, whose flesh was burned by them
 How many did not find graveyards or burial
 How many were burnt on snow-mountains

How do I forget all this
 What will their money and adornments do for me

I have sworn oaths on the forests
 I have made to gardens this promise

I will keep watering the spring

Let them make a dog of me in prison

Once I am outside I will become a lion again

Inside, for them, I am just a lump of flesh

We will call this poet Muzaffar ‘Kashmiri.’ I learned that he had been in prison for many years without trial and that he was a *tehreeki* who had taken to guns and bombs in pursuit of the dream of *aazadi*. He was educated, but no poet – he began to write in prison and his untitled poem is written in a conversational (rather than literary) idiom. Its immediacy is the product of everyday speech, of a felt urgency and its certainties are arrived at despairingly, in the face of imprisonment and torture. The poem’s contrasts are derived from the representations of nature that are the staple of Kashmiri poetry: the Valley is a garden, spring breezes bring life and colour, forest canopies dress the high mountains; the desert is the life-denying polar opposite of all that constitutes Kashmiri lives lived in harmony with nature. But in this poem the incarcerated poet knows only paradox – he loses the distinction between day and night, makes the desert his own, draws it around himself like a covering, lives on even when his torturers make death attractive. What follows is the hope brought alive in the act of the poem, the articulation of a further resolve, the refusal to let ‘rods and hammers’ break his will, and all this condensed into a delicate image of no return, the tear that drops and never climbs back.

Hope behind bars: this is the irony that anchors renewed determination in the fragility, evanescence and finality of a shed tear. It is important though that the shed tear is not for himself, but part of a collective mourning for all those comrades, the ‘adored ones,’ whose flesh was burnt ‘by them’ and who now lie, without proper obsequies, somewhere in the snowy mountains. Their memory, and their sacrifice, is the more certain ground of commitment that allows him to resist the promises and bribes offered by his captors (again, the unnamed ‘them’). In the next lines, Kashmir itself, or rather, images and tropes conventional to its poetic self-representation, provide the continuity of memory and commitment necessary for sustained faith in a political ideal:

I have sworn oaths on the forests

I have made to gardens this promise

I will keep watering the spring

The idealism of these lines veers into cliché, but the closing lines arrest that movement in an idiom, and a reality, stark and brutal:

Let them make a dog of me in prison
 Once I am outside I will become a lion again
 Inside, for them, I am just a lump of flesh

Both this incarcerated body, beaten into a 'lump of flesh', and the un-extinguished hope of release and redemption into renewed political activism ('I will become a lion again'), offer a powerful challenge to the political agents and theorists of Indian nationalism in the twenty-first century. Condensed into these last three lines is the egregious and dehumanizing practice of state power, in which the unwilling 'citizen,' especially one who takes to arms, is captured, tortured, and in this process, reduced to the brutalized materiality of a lump of flesh. Not everyone in Kashmir is a violent *tehrreeki*, far from it, but there will be few Kashmiris who will not sympathize with the scenario and the sentiment explored by this poem. To that extent, it is representative of the collective experience of a people subject to long-drawn out and often indiscriminate state violence.

Trauma and poetics

The challenge for a critic who reads poetry while thinking about politics, or indeed who reads politics via poetry, is to detail the mediations that link text and context, writing and history. There is a further difficulty: since one important definition of trauma is individual experience that cannot be properly remembered or narrated, but only reenacted in different registers of word and action, the relation between traumatic events and the practice of poetry is even more intricate.⁵ The creative process that produces a poem taps into psychic mechanisms and cultural tropes (the conventional practice of a particular form of poetry, for instance) that bridge the gap between trauma as experienced by an individual and trauma as it is shared within a community. A poem is thus not a reenactment of trauma; rather, it can be thought of as a 'managing' or 'working through' of trauma by articulating elements of it into speech, and thus into public conversation and the record of history.⁶

However, the formal construction, the symmetries and finish, of a poem should not encourage us to believe that it is a full revelation or accounting of trauma; rather, poems can offer readers the opportunity to trace lineaments of pain and to sense the heft of all that is never quite realized or said. Indeed the form of a poem can itself be seen as a mechanism – a mode of aesthetic control – that allows the enunciation of the intense affects of trauma. For this reason alone, a poem can be a guide to what we might think of as the 'phenomenology of pain' that marks conflict zones. This is the case even when the poem does not invoke events or

specify histories, but is suffused with heightened emotions that are manifestly the products of civic turmoil.

Further, as poems are read, quoted, or sung in public they contribute to the collective vocabulary by which trauma is known and shared. In this, such poems and songs play a role in the formation of what Lawrence J. Kirmayer describes as a 'culturally constructed landscape of memory' (1996, 175).⁷ Their affective power allows them to intensify into visibility, but also to interrogate, the costs and consequences of both political mobilization and repression, whether by state agencies or those ranged against state power. Precisely because poetry draws upon and innovates within the collective resources of culture and language, the analysis of a poem can produce a more 'materialist' account of political life than that offered by political scientists or even political economists who chose to sideline the affective dimensions of individual subjectivity or collective consciousness.⁸

Observers of Kashmiri lives over the last two decades have noted the fact that, as Robert Nickelsberg notes, 'Indian-ruled Kashmir has one of the highest rates of post traumatic stress disorder in the world'.⁹ There is no question that these high levels of trauma are the product of protracted periods of political violence and oppression, and the resultant sundering of community ties and kinship networks. (This is true not only of Kashmiris in Kashmir, but also of Kashmiris who have been forced by the threat of violence to live elsewhere). Psychiatrists and local healers have dealt with unprecedented numbers of people who exhibit recognizable symptoms of trauma; given these numbers, it is possible to argue that all aspects of Kashmiri society, culture and politics have been reconfigured in this period by such shared suffering.¹⁰ Further, as I will argue, such experiences have become an important basis for collective self-recognition, which means that trauma is to be understood not simply as the psychic condition of victimage, but as crucial to political mobilization. And not just trauma, but also mourning: the processions that have become central to practices of community mourning often take the form of demonstrations that combine celebrations of present and past martyrs with demands for justice and pledges to bring about the political future, the *aazadi*, in whose name they died.¹¹

In a time of such disorientation, literary writing is a powerful indicator of the way social transitions and traumas are lived by individuals and communities. Its affective range encompasses both the raw immediacy of testimonials of victims and witnesses of brutal events, and the more mediated, longer-term, reflections that they precipitate.¹² In particular, the formal structures of literary writing often enable the staging of intense human experiences that are outside the rhetorical

norms of other forms of reportage. We will see, for instance, how the couplet form and the verbal repetitions of the *ghazal* provide a framework for observations of social suffering and disintegration that might otherwise seem disjointed or even psychotic. Stories and poems can encode insights into psychic processes that sociological observations tend to ignore; further, by exploring the links between subjective processes and public events, these texts provide insights not only into individual subjectivities but also into the making of communities (of feelings, of shared experiences, of political affiliations). While literary writing does not represent 'reality' in any unmediated or uncomplicated sense, it draws upon and reworks the complexities and contradictions of human experience in ways that enable historical insights not easily available elsewhere.¹³

Theorists of trauma, particularly those who have analysed archives of testimonials, have confronted parallel critical questions, and in this chapter I will touch upon some of the insights provided by them into the difficult links between trauma, history and politics. There are of course many – and competing – definitions of trauma, and as many, if not more, definitions of appropriate diagnostic procedures and legitimate therapeutic methods. It is therefore necessary to state that in what follows I draw upon the work of trauma theorists not to enter into the debates that define the field, but to illuminate some of the methodological challenges that confront a critic who engages with the cultural productivity of conflict zones, and in particular, those that complicate the analysis of poems written about social suffering. As we will see, these poems render trauma not as individual loss but as social suffering: the experiences they meditate upon are not 'principally psychological or medical and, therefore, *individual*', but always understood as 'interpersonal' and 'social'.¹⁴

Further, even as these poems portray collective experience, they also evince the dislocation of time and refashioning of historical understanding that subtends political subjectivity. As Didier Fassin and Richard Rechtman have observed, for people who live in conflict zones, 'trauma has come to give a new meaning to [the] experience of time.' Continuing suffering redefines the historical understanding of those who articulate (in testimonials or in literary writing) such travails. Thus, to pay attention to the traumatic experiences of oppressed people offers insights into more than their suffering; indeed analysts can learn to produce fuller and more ethically compelling accounts of the ways in which states and elites wield power. While all studies of trauma feature the 'victim,' Fassin and Rechtman suggest a broader focus when they argue that to think about systemic violence in terms of its long-term traumatic effects leads to a sharper, inescapably political sense

of the social world, of civic morality, and of demands for justice or reparation (2009, 275–76).

In the rest of this chapter, I will examine two poems, both *ghazals*, to see if they allow us to trace the process by which the articulation of trauma in an entirely conventional form of poetry bridges the gap between the disintegrated images and syntax symptomatic of individual trauma and the more orderly, consensual performance of language that is the basis of community. There exist poems whose jagged metrics and unsettled lineation perform the verbal dissociations of traumatized subjects, of language estranged from the self, but is trauma even a useful critical term when it comes to the analysis of a poetic form like the *ghazal*, which is a disciplined, formally self-conscious exercise in social communication? If the concerns of a *ghazal*, its themes and observations, call attention to an unsettled, alienating world, then what is the relationship between such insecurity and the stabilizing repetitions of the couplet form, and of the refrain, of the *ghazal*? The *ghazal*, in Kashmir and elsewhere, is an extremely well-known poetic form – then what effects does a song of social ruptures produce while it maintains the familiar conventions of the form? These are some of the methodological questions that I will explore as I think about the political affects of each poem.

Poetry and the landscape of memory

Blood drips from hands, what's to me?
 Bit by bit the body burns, what's to me?
 Slowly, slowly it walks, where might it reach?
 The sun is meandering lost on paths, what's to me?
 Who, tell me, made grafts of these thorns?
 So the gardens do not flower, what's to me?
 Lips quiver to speak thoughts, *matyov* (o crazed one)
 Tears flow from boulders, what's to me?
 The mirror weeps and weeps, and watches!¹⁵
 The eyes are flooding, what's to me?
 Our own become strangers sometime
 Flesh pulls off nails,¹⁶ what's to me?
 The tongue stutters, the chest heaves
 The meanings of words shift, what's to me?
 Adam is dying, what does he observe?¹⁷
 Massarat¹⁸ plays with sorrows, what's to me?
 Mohiuddin 'Massarat', 'Ghazal'¹⁹

This poem is not only *about* traumatic events; its idiom, its choice of poetic alter ego, its inability to make connections between event and feeling, all enact the effects of trauma. The poem is spoken in the voice of the *mot*, the village lunatic and seer, whose muttering or pronouncements question various forms of cultural consensus and behaviour.²⁰ The *mot* is often depicted as wandering around and noting much in the world but then trailing off with some version of ‘so what do I care’?²¹ ‘The crazed one’ becomes the spokesman for this alienated world – we learn nothing of the causes of such trauma, only of its lingering, destructive effects. And yet poems like this are revelatory not only of the stresses that define Kashmiri society as it suffered (and resisted) the violence of militarized conflict but also of the intrusive, humiliating operations of the security state that became the norm after 1989. The trauma articulated in such a poem allows us to engage with the social and political consequences of long-term violence; the poem becomes a testimonial not only to emotional suffering but, as I will argue, to the political subjectivities that grow out of community responses to such sustained, profound distress.

Even when a poem speaks in the voice of an individual, it limns the contours of communities reconfigured by trauma. The solipsistic disavowal of the *mot* in Massarat’s *ghazal* (‘what’s to me?’) turns, as we read the poem, into an invitation to the larger theatre of community suffering. In that, the poem enables an inescapably *political* understanding of the collective subjectivities that are forged in extended conflict, where entire communities come to be defined by similar experiences of brutalization. Poems like these draw upon, and in turn make available in more memorable form, the conversational idiom of the language; in this manner, poets are cultivators and curators of public memory. ‘What’s to me’, the *mot* mutters over and over again as he looks about him and lists enormities of suffering and loss; all that he notes crystallizes commonalities of feeling within, and also without, the poem. The *mot*, and the poem, joins the ordinary conversation of Kashmiris who recount experiences of vulnerability, powerlessness and fear.²² In each case we encounter performances of language that move the listener into empathy and perhaps understanding. This then is the poetics of trauma that informs both the work of the poet and the testimonial of the victim.

But there are analytical connections to be made before we can make the case that the affective power of such a poetics of trauma enhances our understanding of the socio-historical situation that obtains in Kashmir. After all, such poems (and many other texts of trauma) do not provide easy evidence for the generation of facile political claims. Massarat’s *ghazal*, for example, offers little that translates into a politics; its tone and concerns are far from those associated with political

activism or any form of resistance politics. In fact its power lies in its amplified performance of the broken self and community, in its enactment of a loss and betrayal so profound that the poem spirals into the vertigo of traumatized subjectivity. Even as the *mot* registers loss and misery around him, his is a solipsistic disavowal of fellow feeling, a retreat into agonized separation.²³ Is there then any recovery from the agon of the *mot*, and of the poem?

One answer lies in the form of the *ghazal*, in which each semi-autonomous couplet creates the logic of the whole. In this *ghazal*, each couplet counterpoints the despair of the *mot* with a series of images that offer a context for his disassociation: he observes bleeding hands, burning bodies, lost pathways, grafts of thorns, blighted gardens, quivering lips that do not speak, in short, a world under siege. His muttered refusal to feel, his turning away ('what's to me?') is juxtaposed against all that he catalogues so vividly; his seeming indifference is a failing attempt to distance the surreal images of violence that fragment his world. Images from a nightmare (weeping rocks and mirrors) bleed into suggestions of torture (skin peeling off nails, muted tongues, broken backs). This is a world of strangers, 'our own' now alienated from each other.

Language itself is disoriented – the phrase 'the meanings of words shift' could be a description of the linguistic symptoms of trauma – but the couplet form of the *ghazal* holds steady, creating structure and control. When we get to the self-reflexive closing couplet (the *makta*), which conventionally calls attention to the poet and thus to the craft of poetry, the *mot*, the disassociated voice of the poem, is set against 'Massarat', the poet whose craft 'plays with troubles'. Here, the *mot* is the overwrought alter ego of the poet, for only a crazed one can speak of the intensities of disorder and grief that mark the death of mankind (*Adam*).²⁴ In this *ghazal* then, in the internal dynamic between the voice of the *mot* and the craft of the poet, that is, in the contrast between the idiom and affects of social trauma and a formal regularity and structure, the poem enacts not a turning away from the world but a more powerful illumination of its condition.

These poetic intensities of feeling are after all, the affective glue that binds readers into community (even as they read about, and perhaps identify with, the destruction of community).²⁵ This is also a community forged in language; that is, this is a *ghazal* whose idiom is that of conversational Kashmiri, and the poem intensifies the everyday register of language. The *mot* speaks in the vernacular, with little of the 'elevated' diction and self-consciously poetic phraseology that often mars the *ghazal*, and his voice is that of his community. Thus, in the social matrix of the poem, in the continuity between its imagined and historical

community, what might seem to be a poetics of victimage, a restating of enervating loss alone, enables, in reading, retelling and sharing, both the recognition and the confirmation, of community.

Perhaps even more important, such affective identification – ‘yes, we know this feeling’ – is also an important step in the realization of the resistance politics of survivors, people who understand themselves as living at the mercy of arbitrary power, but also as people committed to restoring their sense of self and confirming their ideal of self-determined futures. In commonality of suffering, in the shared idiom of testimonial and poetry, lie the roots of strengthened political community. If the *mot* performs the traumatized subject, the poet redefines that trauma, shapes it into the text of communal grief. This is no easy or natural process, for thinking with and through such poetry, or indeed such testimony, makes great demands on readers and listeners (as well academic critics): to enter this world is to be moved to a respectful engagement with the experiences of those who have suffered violence. It is also to learn how powerfully those experiences help feed a politics of resistance.

That is, literary texts offer readers not only a strong realization of the effects of violence and trauma, but also make more pointed the sense (in Cathy Caruth’s words): ‘that history, like trauma, is never simply one’s own, that history is precisely the way we are implicated in each other’s traumas’ (1996, 24). To write on texts that manifest collective suffering is to become caught up in that history, to articulate oneself into the communities shaped by shared experiences of, and then memories of, violence and dislocation. This is not only a matter of willed empathy, or the choice to identify with those whose lives were and continue to be molded by political and military aggression. Rather, it is a forceful recognition that the stuttering uncertainties of fear, mourning, alienation and rage, or indeed the backwards looking melancholia, that characterize such writing make demands on everything from the modes of analysis deployed by commentators to (more occasionally) the stylistic features of their prose. These are unexpected complications to be sure, but they also lead to hopeful communication: that is the promise of reading attentively the traumatic effects of sustained conflict. The first and crucial step in the analyst’s or cultural critic’s task is to re-affirm as empathetically as possible the recurrent crises that are experienced by those at the receiving end of the exercise of power. Such empathy, as I have suggested above, also lends analytical insight into collectivities that are reshaped by shared experiences of suffering as well as enables a recognition of the power of such experiences to shape any imagined future.²⁶

‘Experience’ and the politics of nation formation

For Indian policy planners, politicians and citizens, the fact that for over two decades now Kashmiris have suffered extraordinary military and civil violence is simply to be understood as the unfortunate but unavoidable consequence of a violent secessionist politics. Conversely, for Kashmiri proponents of *aazadi*, it is precisely such experiences that confirm their alienation from an Indian nation whose security forces have long brutalized them. The experiences of ordinary Kashmiris – and no one has remained untouched by such violence – are to them crucial to the case they make for the legitimacy of Kashmiri self-determination, and both activists and sympathetic scholars insist that there is no ‘moving on’ from this horrific record. On the other hand, nationalist policymakers hold that those civil rights groups, political activists and scholars who concentrate on the history of such violence in order to argue for the legitimacy of Kashmiri self-determination marginalize the fact that large numbers of Kashmiris have joined or voted for pro-India political parties and that these parties have been democratically elected to power in repeated state elections.²⁷

In recent years then, ‘experience’ – in particular the experience of trauma – has become important to the debate about the present and future of Kashmiri politics. Civil society activists and human rights lawyers continue to document individual and community suffering as part of their demands for justice and civic restitution. They call for punishment for all who are violent, including those who torture, kill and maim in the name of national security. For them, the troubling unknowns of traumatic events need to be brought into legal view: the law has the resources to recognize, intervene into and offer judgments that will be therapeutic. Further, such accounting is necessary to understand why functionaries and institutions of the state are so quick to give up on their commitment to democratic functioning. For Indian nationalists who sympathize with the suffering of Kashmiris (but who oppose the idea of a separate Kashmiri nation), the heft and burden of traumatic experience must be acknowledged in order to be mourned and set aside in the interest of a peaceful nationalized future. For votaries of Kashmiri independence, there is no question of forgetting – all such experiences must be memorialized and thus activated further, for they fuel a resurgent movement for freedom.

In this context, Massarat’s *ghazal* is an eloquent witness to its distressed world, a powerful expression of the miseries and struggles that came to define Kashmir. As I said before, the poem states no causes for the social and personal disintegration it charts, but the tortured voice of the *mot* joins the many Kashmiri voices that have since testified to their vulnerability and suffering during these two decades.

As this short poem knows, prolonged trauma renders the world threatening and shifting, and alliances seem as fragile as they may have been life-saving ('Our own become strangers sometime'). Bodies are broken ('Flesh pulls off nails'), words lose their meanings, mankind – *Adam* – lies dying. Of the many anxious questions that seem to motivate the poem, the most troubling asks about the nature of survival: will we ever be as we were once, or is that world lost entirely? In which case, who are *we* who must live in this alienated, inhospitable world?

Ironically, the precariousness of the world of the poem is a poignant reminder that the destruction and disintegration it witnesses have become conditions of political being in Kashmir. As people renew daily routines after periods of intense violence and civic restriction, they learn that *resistance* is not only an activist mode embodied in those who join the armed *tehrak*, or even those who throw stones, but is also asserted by those who simply go about their lives. Even in periods of political turmoil, including while under curfew, people find ways to procure food and medicine, to share information, and, occasionally, to take to the streets. This is the resilience of the everyday, and it adds up to a massive and courageous refusal to let the state of militarized occupation define every aspect of life. One way to be revenged on the brutality of the actions of people in authority is to survive their worst efforts, to go back home, to return to threatened patterns of everyday life, and thus to refuse to let official imperatives and actions, arrogance and paranoia, define individual and community.²⁸ This is by no means easy, and sometimes impossible; and even when a precarious normality is achieved, little that is destructive is forgotten and rarely forgiven.

Looking homewards: Poetry and/as displacement

The narrative of Kashmiri suffering and resistance offered here, and of the witness of poetry, folds within itself another particularly poignant story, that of the mass exit of Kashmiri Pandits in the winter of 1989–90 and in the years that followed. Two decades later, very few have moved back to Kashmir to live there, though large numbers visit, especially to congregate at their age-old temples on days of religious significance. While there are perhaps 4,000 Pandits who continue to live in Kashmir, the vast majority are estranged from their homeland and from their neighbours and see themselves as living in exile. As their lives, and those of their children, take root in places outside of Kashmir, the possibility of return becomes ever more remote. Many voice their sense of betrayal and anger, but also the hope, however fading, of return and reconciliation.²⁹

Kashmiri Pandit poets, even in the early years of their displacement, wrote

of seemingly insurmountable distances and of their longing for their homes and for the lives they shared with their Muslim neighbours. Poets mourned the loss of their homes, but also sustained hopes of restored lives and a revival of the composite culture that sustained them.³⁰ In the poem that follows, written no more than three years after the first large groups of Pandits left Kashmir, Brij Nath 'Betaab' yearns for a life now lost and closes with a promise of return and reunion.³¹ Betaab's *ghazal* takes the form of a series of questions addressed to his Muslim friend and fellow poet, Afaq Aziz, all asking if everyday life in their village is the same as it was before the Pandits left. It ends with a pledge to resume ties and family friendship beyond the present estrangement – but only once Afaq Aziz says that 'normal' life has been resumed. Betaab's poem is at once deeply conventional in its imagination of Kashmir as a pastoral landscape where lives are lived in harmony with nature and with neighbours, and profoundly unconventional in that it struggles with the unimaginable and traumatic breach that is the contemporary exile of the Pandits of Kashmir.

The passage of time is a major theme in this poem too, time refracted, rendered disjointed, by crisis. As we will see, the poem is profoundly nostalgic about the home that once was (so much so that that home seems an imagined idyll). However, it is also powerfully aware that change is visible everywhere, as villages take on the attributes of towns and small towns expand. The pastoral form of Kashmir, the mode in which it was long imagined, retreats into the past as life is transformed by the expansion of markets and the growth of a cash-centred economy. Ironically, for the displaced Pandits, these changes in the villages and cities they lived in compound and, worse, disguise, the enormous breach in personal and community history that they know in their exile. The hometowns and villages they left behind are increasingly built-up, modernized, even prosperous; none of these processes seem affected by or even cognizant of their absence, their exile. Once vital to the Kashmiri body, they are now missing, but life still pulses, in some ways more robustly than in the past. This then is the question that haunts the poem and has haunted the community ever since: for Pandits, everything has changed, but has anyone at home, caught up in the twin compulsions of the conflict and the coming of consumer culture, even noticed?

Ah! Will not the flower bloom in the garden as in the past?

Does not the bulbul perch on the window-sill to sing, as in the past?

Have our village gardens been turned into market-gardens yet?

Does no one ask for a basketful of greens, as in the past?

Do the village children still gather at the milkman's store?
 Do they still invent nicknames– *sparrowhawk*– as in the past?
 Does anyone come asking neighbours for *gurus*?³²
 Does anyone bring the cow a *dul*,³³ as in the past?
 Does daughter-in-law still bring birth-gifts³⁴ from her mother's house?
 Does the carpenter craft– anywhere?– a cradle, as in the past?
 Is grain still dried on plain straw-mats?
 Is the pestle-and-mortar found anywhere, as in the past?
 Are mud-walls felled the same way even today?³⁵
 Do children eat mulberry in hiding, as in the past?
 Does anyone sing and dance on the *Vyeth's* banks on *Eid*?
 Does anyone boat down to *Tulla-Mulla*, as in the past?
 How much are we going to taunt each other?
 Do you think we'll never come together, as in the past?
Betaab says he will come home when Afaq Aziz
 Sends word that Sister picks up the new *longun*,³⁶ as in the past.

Brij Nath 'Betaab', 'Ghazal'³⁷

Betaab's *ghazal* is a compendium of the sights and sounds, relationships and everyday practices that signified the face to face community life of villages in Kashmir. The opening couplet sets the pastoral scene – the flowers in the garden, the intimacy of songbirds perched on windowsills. The next opposes a single discordant note, the coming of a 'market-garden',³⁸ to its fond melody of the commons, 'the village gardens', and its correlative, the neighbour who asks for a basketful of greens, probably freshly picked from the small kitchen garden that each family cultivates. The third continues in this vein, shifting the scene to the children in the village playing together and invoking a practice for which Kashmiris pride themselves, which is giving individuals nicknames that are then used by the community at large. These children surface later too – their carefree lives include climbing up mud walls to pilfer ripe mulberries from a tree in someone's garden (and of course mud walls crumble!). The poet lists the everyday activities of the village: feeding domesticated cattle grass from clay receptacles (*dul*), drying grain on straw mats, pounding the mortar and pestle. Several lines of the poem develop the informalities and personalized relations

that texture village communities: the neighbour who comes to ask for *gurus*, the news that is shared when a new mother returns bearing gifts from her natal home (she is referred to as ‘daughter-in-law’, for that is who she is not only within her husband’s family, but within the community).

The poem’s remembered idylls of the village are, of course, qualified in each couplet by the relentless, unforgiving, question: is it still so today, ‘as in the past?’ Even as the poem revives that innocent, charmed life, it becomes clear that this life exists only in fond memory (if it did exist at all) and is now superseded. Nostalgia suffuses memory here, transforming its attempts to revive community into a rueful recognition of its passing. There is a vast, unstated chasm between the past and the present, but the poem does not, till the last three couplets, suggest any reasons for that divide. It is only then that the poem shifts away from its reverie and brings into view the socio-political elements of the changes that bedevil these memories. The ninth couplet asks if religious festivals, both Muslim and Hindu, are celebrated as they were in the past, and the answer – if only in its painful silence – is clear: Muslims might still sing the joy of *Eid* on the banks of the Jhelum, but Pandits will no longer take boats down the same river to the important Hindu shrine at *Tulla-Mulla*. They do not live by the banks of the *Vyeth*, the Jhelum, any more.

At this point, in the penultimate couplet, Betaab directly addresses his friend Afaq Aziz, but also, by extension, both the Muslim and Pandit communities: ‘How much are we going to taunt each other?/Do you think we’ll never come together, as in the past?’ No events are named, perhaps because to do so would be too painful and divisive; the question that lingers is simply that of the divide, and of how to overcome it in a context where the drive to affix blame overrides – at least in the moment – the desire to be reconciled and reunited. The poem closes, however, in a powerful gesture of reciprocity: the Pandit Betaab will return when his Muslim friend and neighbour Afaq Aziz tells him that his wife (who the poet calls ‘Sister’ in the poem) has resumed the generosity that once marked the shared lives of Muslims and Hindus in Kashmir. She will once again wield the *longun* with which she once measured rice to cook for all those who visit, and Betaab will know that he is welcome and at home. As in the earlier couplets of the poem, the signifier of restored lives is an everyday object in the kitchen, the very ordinariness, the domesticity, of the *longun*, a marker of the humanity that will resist and outlive political divides and conflicts. And yet, for all that it is a marker of hope, the archaism of the *longun* (an object now no longer to be found in most Kashmiri kitchens) lingers and challenges – if the object and the term are so thoroughly of the past, can it, will it, ever indicate a renewed future?



Given the divergent experiences that motivate each *ghazal*, their concerns and vocabulary are quite distinct. However, both poems are born out of the same conflict zone, and each produces a vivid picture of personal and community trauma. In both cases, violence – the origin of trauma and social suffering – is not identifiable as or reducible to a singular event. But it is everywhere and its effects are profound as it tears apart communities and remoulds individual and communal subjectivities.³⁹ To let these poems lead us to an understanding of trauma is to have that term expand beyond the heightened and troubled affect or psychological disorientation of an individual to a more encompassing sense of community history. In a parallel instance, Saiba Varma describes Kashmiri patients at a psychiatric clinic refusing to ‘locate their suffering within a specific catastrophic event’. She reports that they

preferred to speak of their daily struggles of life under occupation:
how they worried about the safety of their children when they went
to school, how it was impossible to be healthy in Kashmir, and how
their quality of life or livelihoods had suffered because of frequent
strikes and shutdowns (Varma, 2013).

These poems, I have argued, enact similar traumatic histories. Even as each poet crafts a formally structured and conventional response to an ‘impossible history’, it is clear that the poem seethes with energies, emotions, experiences it cannot ‘entirely possess’ or contain. The tension between the symmetry of couplets and controlled repetitions of the *ghazal* and the dislocations and broken lives that are their theme suggest the pulse of life in conflict zones, the struggle to achieve ‘normality’ in the face of extraordinary experiences that tear apart lives and everyday routines. Poems that feature this precarious dynamic between the centripetal logic of poetic form and the centrifugal thrust of the vocabulary and imagery of civic disintegration and displacement indicate why, in zones of conflict, poetry takes on an affective force that it need not possess in less charged and burdened contexts. The particularity and power of such poems – of the poetics of trauma more broadly – is that they move their readers not simply into fellow-feeling (the ‘yes, I know this emotion’ moment) but cause them to know the more disturbing demands of political empathy within and across communitarian divides.

Which is not to say that Kashmiri readers of these poems (or indeed readers elsewhere) will come to the same political analysis or understanding. That hope is utopian, and perhaps facile, given the situation that obtains in Kashmir. At first

reading, Mohiuddin Massarat's *ghazal* speaks for Kashmiri Muslims in Kashmir who see themselves at the receiving end of the undemocratic practices of Indian institutions and as targeted, not protected, by the security establishment. In similar vein, Brij Nath Betaab's *ghazal* articulates the loss known by Kashmiri Hindus who have moved away from Kashmir and who see themselves as victims of armed militants and their sympathizers among the majority community. These separate resentments – and, for all their polarized differences, these parallel modes of suffering – mark the troubled lives of Kashmiris today. These are also the ill feelings and the anger that fuel their survival, their political positions and practices, and their dreams of different futures.

Poems, like other forms of performance, can be mobilized to serve very different political ends; there are those who will read each poem as testimony of forms of suffering that are not shared by Kashmiris but are in fact exclusive to one community or the other. Narrations of the traumatic past can of course be shaped to generate not greater openness and mutuality but to cement exclusionary identities. It is, however, my argument that these poems themselves refuse such exclusions. They do so precisely because they speak powerfully to their moment and preserve it, not as inert or past, but as the living precursor of ours and as a necessary, living component of the future. Massarat's *mot* is not marked as either Muslim or Hindu, and elements of the social suffering he articulates have scarred the lives of all Kashmiris. Similarly, even as Betaab's poem speaks of Pandit dislocation and exile, it is addressed to his Muslim friend Afaq Aziz, mourns the loss of togetherness and hopes for a revival of shared lives.

I have argued here that even as we pay careful attention to these poems, to their specificities and their differences, we should do so – and the poems demand this – in a fashion that returns their representations of trauma and lost lives to collective histories. If these shared histories contain stories of divergent dispossession and suffering, they also contain in them memories, and indeed the very *language*, with which to imagine futures different from, and more humane and equitable than, those pasts and indeed our present.

Endnotes

- 1 This essay was first published in Suvir Kaul, 2015, *Of Gardens and Graves: Essays on Kashmir; Poems in Translation* (New Delhi: Three Essays Collective).
- 2 Ranjit Hoskote, 2011, lxxiii.
- 3 Ironically, a commentator unsympathetic to Kashmiri self-determination has most precisely recognized that its present mobilization derives great force from shared suffering

over the last two decades. In April 2012, Manu Joseph infamously parodied political anger in Kashmir by styling it a 'heritage' industry:

Trauma in Kashmir is like a heritage building—the elite fight to preserve it. 'Don't forget,' is their predominant message, 'Don't forget to be traumatised.' They want the wound of Kashmir to endure because the wound is what indicts India for the many atrocities of its military. This might be a long period of calm, but if the wound vanishes, where is the justice? India simply gets away with all those rapes, murders and disappearances? So nothing disgusts them more than these words: 'Normalcy returns to Kashmir'; 'Peace returns to the Valley'; 'Kashmiris want to move on'.

For Joseph, trauma, like a second skin, can be sloughed off when the time is right. The poems I analyse here suggest otherwise.

- 4 Jayalal Kaul shows that Lal Dēd, for instance, adapted and modified Sanskrit forms of words into modern Kashmiri and crafted from them an idiom still in use. His examples are: '*loh-langar* (iron anchor) for involvement in worldly things; *seki lavar vuthu'ny* (twisting a rope of sand) for a fruitless occupation; *vatanā'sh* (highway robbers) for greed, lust and pride; *sandā'rith pakhu'c* (steadying the wheels) for equipoise; *da'ly trāvu'ny* (spreading the hem of the garment) for surrender and supplication; *dumatas rinzy* (marbles thrown at a huge boulder) for an ineffective attempt, and many more. . . . This is so also with the imagery drawn naturally from the familiar surroundings of the countryside: the ferry across the river, the creaky bridges on the causeway, the bloom of a cotton flower, the kailyard, the saffron field. . . etc. etc.' (1973, 65–66).
- 5 This is not to suggest that communities cannot experience trauma – they can and do. In fact, belonging to a community can both intensify, or help come to terms with, an individual's trauma. The links between individual and community experiences of and responses to trauma are often best made visible in cultural artifacts, particularly those whose reiteration becomes an index of the affective energies and political energies circulating within the community.
- 6 In that poems do similar psychological work, and serve similar cultural and memorial functions, as do testimonies of those who suffer trauma. The narrative forms of testimonials are important to their meaning and affect too, but since poetry foregrounds form, it seems to work at a greater remove from experience than does any form of testimonial.
- 7 Kirmayer also offers a useful definition of the way in which traumatic experiences, in their reiteration and sharing, become cultural memory: 'Landscapes of memory are given shape by the personal and social significance of specific memories but also draw from *meta-memory*—implicit models of memory which influence what can be recalled and cited as veridical. Narratives of trauma may be understood then as cultural constructions of personal and historical memory' (1996, 175).
- 8 Scholars who write about state formation, governance and international relations rarely distinguish their vocabulary from that deployed by policymakers and administrators (this is of course the primary way in which they hope to influence the operations of state power). The historiography that results is inevitably a legitimization of the priority of the state in the making of human histories. This is the historiography of what *is*, of analyses that are limited by a 'realist' recognition that the crucial question is that of power: do agents of the state have the resources to mold the political aspirations of people to suit

their idea of the nation, or not? How coercive must the state apparatus be in order to preserve the 'nation', which is, after all, the unitary ideal in whose service this apparatus is supposedly constructed?

- 9 See Nikelsberg (2008), Amin and Khan (2009), de Jong *et al* (2008) and a great many other websites. See also Human Rights Watch (2006). Wani (2013) reports on the connection between torture and sexual trauma.
- 10 Saiba Varma is developing an important body of work on these issues (see, for instance, Varma, 2012). The language of personal and community trauma is widely spoken in Kashmir. Manisha Gangahar quotes Amit Wanchoo as saying, 'Each one of us has been a part of a tragedy that can offer no catharsis' (2013, 42). In recounting many fearful encounters with army soldiers, Dr M. Ashraf Bhat writes: 'This is just one of the many incidents which happened with us: some could save their lives and many could not. This and many such haunting stories are still occupying my mental space and I genuinely don't understand how to deal with them. It is indeed paranoiac. Since then, every time I see an army man, I recall the nightmare, I fear the same treatment' (Bhat, 2014).
- 11 See, for instance, Adil Lateef's news report on a recent funeral gathering and procession (2013).
- 12 In areas of conflict, literary writers are of course not the only ones to focus on the powerful social and political role played by suffering and heightened feelings. Journalists who report on many killings, public protests and official reprisals often quote victims, or families of victims, who testify to the culture of fear and insecurity that mars their lives. Anthropologists and other scholars, particularly those studying the rise in mental diseases, also record the miseries of individuals and their families. Political analysts too take note of periods of intense public anger – as when, in 2010, young boys (*sangbaaz* or 'stone-pelters') engaged the police in unequal battles, and over a hundred of them were killed – but only long enough to suggest that such heightened emotions, while weighty in the moment, will eddy away in the face of other political developments.
- 13 In a parallel argument, Françoise Davoine and Jean-Max Gaudillière argue that poetry, like fiction from war zones, should be understood as 'neither an ornament nor a cultural product: it is a necessary instrument of historicization' (2004, 116).
- 14 These terms and distinctions are articulated by the editors in the 'Introduction' to their landmark volume *Social Suffering* (Kleinman *et al.*, 1998, ix).
- 15 The syntax of the original line can also suggest a person weeping and watching (himself) in the mirror. This line thus links the 'tears' of inanimate objects like boulders or mirrors to human eyes that flood with tears.
- 16 In Kashmiri, *nam te maaz* (nails and flesh) is an idiomatic phrase used to suggest closeness – between brother and sister for instance, or the closest of friends. Here, following upon the previous line, 'Our own become strangers', the literalization of this metaphor (flesh pulled off nails) suggests torture, which brutalizes not only the individual body but also tears apart the family, the community.
- 17 *Adam* here is mankind; his dying the death of all.
- 18 *Massarat*, the poet's *takhallus* (pen-name) means happiness, here in contrast with the 'sorrows' with which he 'plays'.
- 19 Original in Kashmiri; published in the bi-monthly journal *Sheeraza* (Jammu and Kashmir Academy of Art, Culture, and Languages, Srinagar: March–April 2006, 198).

- 20 For a story that captures the cultural significance and vatic power of the *mot*, see Parray (2011).
- 21 This phrase also signals the strategic passivity that is a response to existential crisis – in Kashmir, as in other conflict zones, survival often demands such distancing. Also, ‘what’s to me’ (*me kyah*) suggests the ironic tone of the jester who notes and calls attention to what is untoward, only to disavow what he sees and hears. The wicked ironies of the *mot*’s observations are to be found in contemporary humour too, as when a Kashmiri protestor, threatened by a policeman who has heard him join a crowd in shouting ‘Indian dogs go away’, insists that he has in fact been saying, *sotto voce*, ‘Indian dogs stay here’.
- 22 See for instance the testimonials recorded in the report *Alleged Perpetrators* (International Tribunal for Human Rights and Justice in Indian Administered Kashmir and the Association of Parents of Disappeared Persons, 2012) and by Shobhana Sonpar (2007).
- 23 This isolation reminds us of the power of Cathy Caruth’s question, ‘Is the trauma the encounter with death, or the ongoing experience of having survived it?’ (1996, 7)
- 24 Agha Shahid Ali writes that the ‘*ghazal* is not an occasion for angst; it is an occasion for genuine grief’. (2000, 13).
- 25 Sara Ahmed writes that one of the effects of writing that deploys intense emotions is ‘to mediate the relationship between the psychic and the social, and between the individual and collective’. ‘Emotions *do things*’, she states, ‘and they align individuals with communities’ (2004, 119). In her argument, ‘affective economies’ should be understood as producing not only ‘psychic’ but also ‘social and material’ conditions (121); that is, the textual circulation of intense emotions has material consequences, marking out particular bodies and defining communities.
- 26 Dominick LaCapra argues for the value of the ‘empathetic unsettlement’ that is produced in the work of the ‘attentive secondary witness’ (the poet, the literary critic, the historian) of historical trauma (2001, 78). He suggests that for historians who write on experiences of trauma, ‘empathy is a counterforce to victimization’, and plays an important role ‘both in historical understanding and in the ethics of everyday life’. For him, ‘the role of empathy’ is to allow connections to be made between ‘historical understanding, social critique, and ethico-political activity’, that is, the exercise of empathy enables critical theory to be better related to political practice (219). LaCapra’s ideas are extended forcefully in Michael Rothberg’s insistence that ‘Trauma theory helps make us attentive to suffering and thus, in principle, to justice and responsibility, but it needs to be supplemented by a positive vision of social and political transformation’ (2003, 156).
- 27 There has been an increase in voter turnout in recent elections, particularly in state Assembly elections, in spite of calls for election boycotts. Analysts remain divided about the meaning of such high turnouts, particularly since many voters say that they participate in order to elect local administrators who will pay attention to everyday problems rather than as a vote of confidence in India.
- 28 In a parallel instance, Iris Jean-Klein’s analysis of the lives of Palestinians during the Intifada argues that their daily activities during periods when regular life is ‘suspended’ (by Israeli military action or by the response of the Palestinian leadership) adds up to an ‘everyday activism’ that allows communities to ‘self-nationalize’. That is, their daily routines, including the forms of their domesticity, at such moments follow from, renew and shape their political awareness and commitment to the cause. Jean-Klein argues that

- such transformations of daily life play an important role in generating the forms of both Palestinian resistance politics and nationalist identity (2001).
- 29 Siddhartha Gigoo's novel *The Garden of Solitude* (2011) provides a humane account of the miseries and modes of survival of the Pandits dislocated from Kashmir in the 1990s. Mahanandju, one of the elderly characters in the novel, slips into derangement once he leaves Kashmir and is forced to live in tawdry refugee camps or cheap rented rooms: 'The calendar on the wall lost its meaning. No one looked at it. . . . It was difficult for Mahanandju to tell the past from the present. He longed to live life backwards' (85). At several such moments, the narrative describes forms of alienation and disorientation that parallel those depicted in Massarat's *ghazal*, one mode of Kashmiri suffering mirroring another.
 - 30 See for instance the *nazm* by Som Nath Bhat 'Veer', 'A New Morning will Dawn', in *Aalav* (Kashmiri) (Jammu: Department of Information, Jammu and Kashmir Government), November-December. 2003: 40–41.
 - 31 'Betaab' (Brij Nath's *takhallus*) means restless or impatient or uneasy. Given the circumstances of the poet's dislocation, his pen-name is apposite.
 - 32 *Gurus* is whey, the liquid that separates when butter is churned from milk. Here, the whey that is shared indicates neighbourliness and also organic lives where little is treated as waste or thrown away.
 - 33 A *dul* is a clay receptacle, often used to carry feed for the cow. There is an intimacy to this form of feeding, which often begins with a member of the family holding the *dul* up to the cow before it is set on the ground.
 - 34 When a new mother returns from her natal home to her husband's home, she takes along presents ('birth-gifts'). These very often include small gifts of food or fruit for extended family and neighbours.
 - 35 The mud-wall (*dossa*) that surrounds homes or gardens often crumbles or comes down when children clamber onto it to pick hanging fruit.
 - 36 *Longun* is an archaic term; it refers to a large (1 seer) measure for rice. Its use suggests a renewed and generous welcome for guests and family. However, this line can be translated differently, for *tulelongun* is also a game played by little girls. The line will then read: 'Sends word that sisters are playing *tulelongun*, as in the past'. My commentary on the poem in this essay makes clear my reasons for preferring the first translation.
 - 37 Original in Kashmiri. Published in Aziz, 2003, 108–09.
 - 38 This reference to the coming of market-gardens provides a glimpse into one of the extraordinary features of the conflict years in Kashmir, which is the growth of a cash economy (and in towns, a consumer culture). In that, Kashmir's cities and towns are no different from those in India, but here, the rise in standards of living and in conspicuous consumption is particularly unsettling, given that they parallel huge losses of lives, large numbers of people jailed or 'disappeared', a rise in violence against women and a larger loss of cultural coherence and confidence. On the one hand, a living history of trauma and loss, on the other, a remarkable expansion of expensive urban homes, shops and malls.
 - 39 As Caruth has suggested, the psychic productivity of trauma – dreams and flashbacks – should be understood as rooted not only in the unconscious but also in history: 'The traumatized', she writes, 'carry an impossible history within them, or they become themselves the symptom of a history that they cannot entirely possess' (1995, 3–12).

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